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Theory

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CONTENTS

JANUARY, FEBRUARY, MARCH,
1943

	PAGE
St. Thomas and Educational Theory	
By Thomas Corbishley	1
The Survival of the Village	
By H. J. Massingham	13
The Beveridge Report. Some Reflections	
By the Hon. Frank Pakenham	21
The Foundations of Justice and Law in the Light of the Present European Crisis	
By G. Leibholz	32
Portrait of John XXII	
By J. R. Wingfield Digby	50
Anton Wildgans	
By Edward Quinn	59

Some Recent Books - - - - -	62

DEATH AND LIFE, THE FEAR OF FREEDOM, THE NEW LEVIATHAN, THE DUAL STATE: A CONTRIBUTION TO THE THEORY OF DICTATORSHIP, THE POLLOCK-HOLMES LETTERS: CORRESPONDENCE OF SIR FREDERICK POLLOCK AND MR. JUSTICE HOLMES, 1874/1932. KURT VON SCHUSCHNIGG: A TRIBUTE, CATHOLIC, ART AND CULTURE, LIGHT BEFORE DUSK, FOR HILAIRE BELLOC, THE MIND OF THE MAKER, A PREFACE TO PARADISE LOST, BOWEN'S COURT, BROAD AND ALIEN IS THE WORLD, INTRODUCING JAMES JOYCE.

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*General
Faxon*

The Dublin Review

JANUARY, 1943

No. 424

ST. THOMAS AND EDUCATIONAL THEORY

THE DE MAGISTRO

THE history of human progress—in so far as there is such a thing—may be described as the result of the interaction of the forces of Conservatism and Innovation. The interaction is, unfortunately, rarely achieved in a wholly rational way, or in a way that does not cause chaos and disorder in a greater or less degree. In the individual there is present a love of the familiar and the conventional, manifesting itself in the attachment to the favourite arm-chair, the routine of daily habit, the dislike of the unfamiliar; but this quality may easily grow into a vice, and we have all known men and women who seem to have lost all their individuality in the acceptance of purely conventional values and an almost automatic performance of a round of unvarying tasks. For change is a law of life; since life, in our experience, manifests itself in growth. And whilst we like to find our friends the same, we should think them incomplete if they remained literally the same, showing no desire for development, no ambition, no interest in discovery. And the pioneer, the explorer, the inventor, have always held a high place in man's esteem. But again the desire for novelty can easily become a vice; the desire for change degenerate into mere instability; the quest of the unknown be little more than a flight from oneself and traditional values.

On a larger scale the same dangers beset men in the world of politics and economics, of literature and philosophy. It might well be argued that the present war is but the outcome of the tension set up between an excessive conservatism, a contentment with the *status quo* simply as such and an explosive exaggeration of the claims of revolutionary change. In such a situation it is not always easy to keep one's head. The danger is lest we should either fall back upon an almost instinctive reaction or surrender to the demand for violent change without examining the nature of the change suggested.

Now it is against this sort of background that we must study the whole question of educational reform. No one will deny that the ferment existing in present-day educational theory is, in itself, a phenomenon to be welcomed. In spite of all the cranks who have entered the field of educational activity, in spite of all

the "modern" schools and pedagogical "stunts" which are a feature of the age, none but the most hidebound reactionary will refuse to admit that there is any amount of need for change and development in the planning and practice of this all-important matter. But the pity is that, whilst authority is much concerned with problems of administration and experts are for ever discussing method and technique, it is not clear that anyone is giving sufficient thought to the underlying principles of "learning", to the nature and quality of the human mind, to the individual's capacity for assimilating knowledge, to the conditions under which the student's teachableness may be best made use of.

At the same time, of course, we may take some comfort from the undoubted fact that, in this sphere as in so many others, nature comes in to supply for the defects and to correct the errors of the misguided or freakish or sluggish pedagogue. In the end, in spite of all planners and theorists, children do continue to be educated: some of them—"by some divine chance"—very well indeed. But, amongst the mass of even the "educated classes", what a wastage there is! And of the semi-educated, how little do the majority seem to have profited from their years of schooling! It may be that, in attempting anything like universal education, men are trying to achieve the impossible. It may be that we must always remain content to have an educated few, thinking for the many. But so long as we are committed to planning for the education of the many, it is only sensible that we should try to think the whole problem out from first principles, and not rest content to let matters drift. And, as we have implied, such a thinking out of the problem will consist in some harmonizing of "new" discoveries with a traditional body of principles, thought out by men who have no special axe to grind.

It is therefore surely a matter for congratulation that St. Thomas has given us a treatise on Education. For, if we are enabled to understand our educational problems in the light of the *philosophia perennis*, we shall have some confidence that our solution will be in accordance with the needs of man's nature, as analysed for us by the Master. And if ever there was a time when serious thinking about education was demanded it is now. Few will dispute the statement that one of the major problems to be faced after the war will be that of restoring Christian values to a generation that will be seeking for some safeguard against a repetition of the insane violence of these years. Many will hope to find it in economic planning or political system-making. We know that it can only be found in a healthy philosophy, clearly seen and accepted as widely as may be. And that means rearing a generation of Christian-minded men.

This article, then, is based largely on the *De Magistro* of St. Thomas, a treatise to be found amongst the *QQ De Veritate*. The question is divided into four articles dealing with these topics:

- i. Can teaching be given by one man to another; or is God the only teacher?
- ii. Can a man be his own teacher?
- iii. Can a man be taught by an Angel?
- iv. Does teaching belong to the active or to the contemplative life?

The average person who is acquainted with modern education speculation will find something almost unreal about the very wording of the subjects to be discussed. It will be seen that there is no question of elaborating a syllabus, of weighing the respective merits of Herbart and Mme. Montessori, of the Dalton Plan and its variations, of the Classical curriculum and the technical school. And some of us may find that a relief. It is not proposed, therefore, to produce from the teaching of St. Thomas a fully fledged syllabus of Christian education, as one might behold Minerva springing fully armed from the head of Jupiter. Nor shall we seek to prove that anything of value in modern educational theory—from Pestalozzi to Dewey—is all to be found in the pages of the *De Magistro*. The “accidentals” of education vary enormously from age to age and from country to country. For the moment we are not interested in the accidentals.

At the same time, lest we should be put off by plunging straight into the Thomist analysis, it may be profitable if we try to work out for ourselves some principles concerning the process which we describe as education. We have all had some acquaintance with that process; and we must all have formed some impressions concerning it. Now I take it that we should all unhesitatingly answer yes to the question: “Can one man teach another?” Thus, whenever we tune in to the six o’clock news, we do so in order to learn something. We should hardly describe the process of listening to Bruce Belfrage as constituting education in the full sense of the word. But even that is *part* of our education. For, whilst we stress the importance of character-training and the like, we do seem to have a prejudice in favour of the idea that education consists primarily in the transference or imparting of information. A well-educated person is one who, at the least, is well informed on a variety of topics. So this problem of the acquisition of knowledge may provide the starting-point for our investigation.

What happens when a child learns the multiplication table or the parts of an irregular verb? Through eye or ear he receives

certain impressions, certain symbolic sights or sounds, which in that mysterious alembic which we call the mind are transmuted into "knowledge". Now, what is the teacher's part in this process? First and foremost, of course, it consists in the presentation of the symbols; and some teachers seem to suppose that their function stops there; that when they have made the unfortunate child "learn lists" of irregular verbs or the kings of England or the rivers of South America, they have somehow succeeded in furthering the child's education. In other words, for them teaching is a form of animal training; and we have the expression "parrot-wise" to condemn such a notion.

This characteristic is at the basis of two of the difficulties which St. Thomas proposes against the suggestion that teaching of one man by another is possible at all. "If a man does teach," he argues, "it will only be through symbols (*signa*). But the mere proposing of symbols does not convey knowledge. For example, if I am trying to explain what walking is, it is no use just walking: because there will be more elements than one in my 'symbol'. And unless the pupil knows which precise element I am illustrating, he will fail to grasp the point of the demonstration. Besides, if I propose a symbol, either the pupil knows the thing symbolized or he does not. If he knows it already, there is no point in my demonstration; if he does not, then the precise meaning of the symbol must elude him, because he does not know the thing symbolized. For example, the pupil will learn nothing from the name 'rock', if he does not already know what a rock is."

Now anyone with any real experience of teaching will realize the force in these objections. And if we do appreciate the difficulty, we shall begin to understand why so much of the time we spend in "teaching" does not seem to produce any commensurate effect in our pupils. This failure is perhaps most conspicuous in the teaching of languages. For here we have to do with a double set of symbols, so to speak. The English word "not", for example, is a symbol expressing the idea of negation in more than one context. Now, until the pupil has begun to appreciate the shades of meaning symbolized by that one word, he will obviously be at sea when he discovers that there are two or three symbols in another language to express the different ideas which are "symbolized" by one word in English. *He is not doing this* becomes in Latin *Hoc NON facit*, but *Do not do this* becomes *NE hoc feceris*. Inevitably the pupil thinks that the "foreigner" has an odd sort of mind, or is just being arbitrary: he has failed to realize that the English symbol stands for different shades of meaning.

Again, teachers who have experimented with the Direct

Method soon realize how very carefully and exactly symbols have to be selected and proposed if there is to be any intelligent response on the part of pupils. For instance, if I want to teach a class the French for aeroplane, and I produce a picture of a Spitfire, I can hardly blame the modern youth if he goes away with the idea that *avion* is the French for Spitfire and not for any type of heavier-than-air machine.

It can be seen, then, that St. Thomas's objections are more than captious. They are based on a real appreciation of human psychology. Again, there is real point in his assertion that, since it is the *intellect* that knows, and teaching can only be by means of *sensible* symbols, teaching as it is ordinarily understood must be ineffective for the production of true knowledge. And further, that certitude which is necessary for genuine knowledge cannot arise *directly* from sensible symbols. To elucidate this, let us return to our Spitfire illustration. Obviously, even if I do succeed in teaching my pupil that the French for aeroplane is *avion*, I cannot seriously maintain that the pupil possesses this knowledge simply as the result of my presenting to his gaze a two-dimensional picture, a silhouette, of a three-dimensional object. Into the activity which results in the possession of that knowledge has gone how much previous experience, inference, interpretation, and the like. How is the teacher to control and direct this activity, to preclude misinterpretation and ensure accuracy?

It would clearly be possible to prolong this analysis almost indefinitely, but, whilst I believe that this would be highly profitable, I fear that some of my readers may feel that I am labouring the obvious, and that all these theoretical difficulties *solvantur ambulando*. I will therefore refrain from further elaboration; merely remarking that, whilst it is true that, in spite of all these alleged difficulties, boys and girls continue to acquire knowledge that is both accurate and certain by means of precisely such sensible pictures, I believe that the successful teacher is the individual who, consciously or not, is aware of the enormous mass of interpretation and inference that goes on in the pupil's mind: and that, in the end, the more important part of the activity known as "education" is that which occurs in the mind of the pupil; in a word, that our emphasis should be much more on *learning* than on teaching. In fact, before passing on to consider St. Thomas's own positive contribution to the psychology of learning, we may profitably reflect on the objection which he bases on a passage of Boethius: "Through teaching, the mind of man is only stimulated to know. But he who stimulates the intellect of another to know does not make it know, any more

than he who stimulates another to seeing with his eye makes him see."

St. Thomas's theory of education is based upon the doctrine of forms. In his view, education is possible because the individual possesses the potentiality of all knowledge. But such potentiality is no mere passive potentiality. That is to say, the mind of man is not like a block of marble, passively submitting to be shaped into this or that statue—an Apollo, a Rima or a Thinker—simply in accordance with the activity of the sculptor and his chisel. Now this is an important point. For whilst the unsuccessful teacher readily blames the pupil for his failure, we are liable to fall into the mistake of supposing that the mind of the child is like a blank sheet of paper upon which the good teacher can produce this or that design, this or that pattern of knowledge, according to the demands of parents and the requirements of the Joint Examinations Board. No, insists St. Thomas. The child's potentiality for knowledge is an *active* potentiality. To illustrate this, he instances the case of medical treatment. Health is brought about in a patient primarily through the efficacy of nature in him. St. Thomas would subscribe to the sentiment which, I understand, is set up in a certain Medical School club-room in Boston: "We dress the wound, God heals it." It is the active reaction of the patient's constitution to the doctor's treatment which produces the cure. Similarly, it is the pupil's active reaction to the teacher's instruction which produces knowledge. To quote St. Thomas's own words: "When something exists in active complete potentiality, the extrinsic agent acts only by helping the intrinsic agent and by ministering to it those things by means of which it comes forth into actuality . . . just as a doctor in healing is a minister to nature which does the principal work—ministering by abetting nature and by applying the medicines which nature uses as instruments for healing. . . . Hence, one man is said to teach another because the teacher proposes to another by means of symbols, the discursive process which he himself goes through by natural reason, and thus the natural reason of the pupil comes to a cognition of the unknown through the help of what is proposed to him. . . . As then a doctor is said to cause health in a sick person through the operation of nature, so a man is said to cause knowledge in another through the operation of the learner's natural reason—and this is to teach."

It follows, then, from this analysis by St. Thomas, that, in spite of the teacher's natural prejudice, the really fruitful activity in the complex process which we call education must come from the side of the learner. It is therefore the teacher's responsibility

to produce the conditions under which that activity will best be stimulated. St. Thomas does not discuss this important problem in so many words, but his whole technique gives us a clue as to his mind on the subject. Modern educational theory insists much on the paramount importance of *interest*. The child will only *learn* if the desire to learn, the *interest* in learning, is present. And the great practical problem of the educator is how to produce this attitude of *interest* or *expectancy*. Now men are coming to see more and more that this will normally be produced where the child is conscious of a problem. Wise men realize that the ideal pupil is not one whose mind is a featureless blank, but one who has a question to ask. Unfortunately, the conditions of modern education, with its pursuit of examination-results and the thirst for matriculation, preclude the possibility of stimulating an interest in the raising and solving of problems. Educational mass-production inevitably means the rubber-stamp method. Cram-books, cyclostyled sheets, and "model answers" are, from the point of view of genuine education, on a par with the whip and red-hot iron of the animal-tamer. . . .

Consider, by contrast, the technique employed by St. Thomas himself. (It is to be admitted that he is dealing with adult education; but his methods apply, *mutatis mutandis*, to education at other levels.) First of all, then, he ensures that the learner shall be conscious of a problem. (Many a teacher will perhaps think him unduly optimistic in accepting the Aristotelian dictum that all men have a natural desire to learn! But possibly the conspicuous absence of this hunger and thirst after knowledge in so many of the occupants of modern classrooms is to be attributed to an early thwarting of it by misguided teachers. . . .) And it is to be noted that St. Thomas is not content merely to state the problem and then give the answer. His method of proposing objection after objection is entirely sound, according to the best pedagogical theory. Anyone who has spent some time in the study of his works knows how the method of presenting objections first—even though some of them are obviously specious and at times futile—has the effect of stimulating interest in the discussion embodied in the *corpus articuli*.

So we may be sure that he would suggest that the most effective pedagogical method would be one which, beginning with the undoubted state of questioning about the nature of his environment, possessed by every normal child, would go on to construct a system of discovery in which the solution of one problem leads on to the realization of a further one lying behind that solution, and so on. For his whole theory of the "active potentiality" of the human mind for knowledge implies a belief that the actualiza-

tion of such a potentiality is an entirely natural and spontaneous process, which only requires the stimulus of the appropriate environment—sc. of the fitting pedagogical method—to ensure its continuous and harmonious development. But this, of course, means that a successful education will only be achieved when it is planned as a whole, and with emphasis all the time on the nature of the developing mind, and not, as at present, in accordance with an unscientifically devised curriculum of *subjects*, an unco-ordinated mass of knowledge which is thought to be necessary for “practical life” after the school age.

It follows from all this that the only successful educator will be the man or woman who has made it his or her business to approach the whole subject from the angle of the child—one, too, who appreciates the teleology of human existence. Since education is not the imposition of a form on an indifferent object, but is no more than the presentation of the ideal conditions in which the self-active agency of the human mind may be enabled to *develop itself* in accordance with its own inherent tendencies, it is manifest that from failure to understand those tendencies can only result a thwarting or perverting of them. At the same time, of course, it would be false to experience and merely insincere to suggest that only a specifically religious background will produce a humane education, whether in the intellectual or the moral sphere. For whilst it is undoubtedly true that, in Tertullian’s words, the human soul is, of its nature, made for Christianity, it is none the less certain that all its natural powers can be developed without any explicit recognition of Christian truth. They who would argue otherwise do no service either to education or to Christianity.

Certainly St. Thomas would give no support to such an argument. The psychological and metaphysical scheme which lies at the basis of his educational theory demands the recognition of the First Cause, which we call God. But we might well substitute “Nature” for “God” without doing violence to the coherence of the doctrine. For Nature is, after all, but the medium through which God works. As St. Thomas reminds us in a sentence combining metaphysical truth with a profound spiritual insight: “The First Cause, from the abundance of its goodness, confers upon other things, not only that they should be, but also that they should be causes.” It is therefore surely to be expected that a purely natural education should be entirely possible, even as, to extend the application of St. Thomas’s own medical analogy, a doctor may be wholly competent in his own sphere without possessing any religious convictions whatsoever.

Yet, it remains true that education is never complete, that the

earlier stages of intellectual and moral development which coincide roughly with the years of schooling are only a preparation for that fuller life of action, which is the medium in and through which man grows up as a responsible rational agent. And in the end the science of sciences is theology—the knowing of God, revealed in Christ and in His Creation. Therefore, whilst in theory it is possible to devise an entirely godless system of, say, secondary education, yet, in practice, having in view the further stages of education, a non-religious, even a non-Christian education is bound to prove unsatisfactory. And whilst defects may not appear in the earlier stages, it seems necessary to infer that they will be latent.

This may seem to be contradicting what we have just said. But it does not really do so, and we may elucidate the matter by a comparison which I heard recently suggested to refute the necessity for or even the possibility of a specifically Christian education. The opponent urged that, after all, education in its earlier stages, and especially in what we may describe as “secular” subjects, is analogous to the manufacture of bricks, from which an edifice is to be constructed. The bricks, it was pointed out, are substantially the same, whether they are going to make a Gothic cathedral or a Moslem mosque. It is all a question of how they are arranged afterwards. The comparison is not a very good one, but accepting it for what it is worth, we are surely right in pointing out that the very size and shape and material of the bricks are largely determined in accordance with their later function. But St. Thomas, on the principles we have been discussing, would reject the whole force of the analogy. Education is not the production of atoms of information in isolation; it is simply the developing of an individual mind. And the perfection, the *telos* of that mind, must surely be allowed to condition the whole activity from the beginning. Now, in the order of nature, that *telos* will be the understanding of things in their ultimate causes, which we call philosophy. And to that extent, a humane non-religious education may be conceded to be a possibility. In fact, we may go further and urge that non-religious education may, up to a point, prove more satisfactory than a specifically religious training *which fails to see that religion, the supernatural, is only intelligible and acceptable when it keeps clearly in view its obligations to the natural.* But undoubtedly the perfect education can only be devised by those possessing the fullness of belief in Christian doctrine, which includes a due reverence for and appreciation of the value of the natural good—whether aesthetic, intellectual, or moral.

To invoke the authority of St. Thomas in this matter, we may

be allowed to develop what he says in answer to the objection that stimulating the intellect to know is only like stimulating the eye to see. He distinguishes within the mind different degrees of relation to intelligible objects. The mind sees certain things as self-evident; it may be said to have *habitual* knowledge of them, and they need only to be pointed out to it to be grasped clearly and certainly. St. Thomas does not clearly specify the sphere of these objects. But I do not think we shall be doing violence to his thought by suggesting that he would include much mathematical and grammatical matter. In these departments the qualifications demanded of the ideal teacher will be not so much moral or religious as primarily psychological—his capacity to stimulate in his pupil that interest which will inspire him to “use his brains”. The teacher is, then, not unlike one who stimulates another to “open his eyes” and to see. But for the rest, there is need of much inference: and here, clearly, error is more likely. Hence we shall need a teacher who, in addition to possessing the capacity for arousing interest, will also be himself conscientious in guiding the pupil to make the correct inferences: not *imposing* his own beliefs, since that is not education: but standing by to prevent the pupil from drawing false conclusions, since the master has a responsibility to truth—i.e. ultimately to God. Hence we can understand how it is possible for a non-religious teacher, given conscientious devotion to truth, to be a better teacher in the earlier stages than a religious man who has not the same capacity for stimulating to activity the mind of his pupil. But, in the end, the whole process must be somehow controlled by those who are alive to the deepest demands of the whole man, and are not simply concerned to inculcate a certain mass of factual information.

At this stage there will undoubtedly be many who are wondering whether St. Thomas has anything helpful to say to the person who accepts the need for an overruling religious control—whether immediate or remote—in the business of education, but is still in the dark as to the way in which education is possible at all. In this respect, the following passage from the third article of *de Mag.* may be worth studying: “Knowledge of unknown things is caused through principles intuitively known: in a way, then, man is the cause of another’s knowing, not giving the knowledge of principles but by educing into actuality that which is implicitly and in a certain way potentially contained in the principles, by means of sensible signs shown to the external senses. . . .” And, in the second article: “He who is the

teacher must have explicitly and perfectly the knowledge which he causes in another. . . ." And lastly: "The words of the teacher have a closer relation to causing knowledge than have mere perceivable things outside the mind."

To appreciate the force of these passages adequately would, of course, involve a fairly exhaustive study of the Thomist psychology of the cognitive process—a long business. But perhaps we can briefly indicate some practical implications of his teaching which will suffice for our present purposes. In the first place, when he speaks of the teacher's possessing "explicitly and perfectly" the knowledge which he causes in another, this cannot merely mean that the teacher has all the facts at his fingertips. It is notorious that the most competent scholar is not infrequently the worst possible teacher. It may be ideally true that the "words of the teacher have a close relation to causing knowledge"; often they succeed in causing a fog! No. What it does seem to mean is that not only must the teacher possess "information", but he must possess it as *knowledge*; as something, in other words, which he sees in its relations to the human mind or, to use St. Thomas's terminology, as an actualization of the mind's potentiality. Since, then, knowledge is nothing else than this, the true teacher will approach his task in that spirit of unselfish co-operation with the awakening mind of the pupil, which is not always perhaps characteristic of the earnest teacher. . . . Admittedly there are very real difficulties. Where the unfortunate master or mistress has to "get through" a syllabus, teaching a class of pupils of very unequal mental calibre, the temptation to have recourse to the methods of the animal trainer sometimes becomes very strong indeed. Fortunately, there is a fairly widespread reaction from the school of thought which held that "knowledge maketh a bloody entrance". But the present state of things is unsatisfactory, precisely because modern educational theory is not sufficiently clear in its own mind as to the nature of human thinking. The insistence on self-development is all to the good. But it can be carried to excess—as in the type of school which, disregarding the fact of Original Sin, and apparently influenced by the Rousseauesque conception of man as born free and innocent, asserts that no sort of control or discipline is desirable. (One is reminded of the child in *Punch* being brought up on the most modern lines, and finally bursting out with: "Oh, Mummy, I do *wish* I could do something I don't want to do.")

No. Man's "educability"—i.e. his capacity for realizing the fullness of his powers by self-activity—is, like all about him, subject to law and discipline. The very exuberance of his

powers requires guidance and direction. Otherwise they will riot and run to seed. In an American edition of the *de Magistro* there is this definition of man's educability: "The potentiality for the self-stabilization of human plasticity into an integrated character under the influence of an ideal." The human mind is "plastic"—it can be moulded; it is not pre-determined. Because plastic, it is in some danger of instability: of a one-sided exaggeration of this or that aspect of the whole truth which man is made for. Hence the need for guidance—for teaching. But if teaching is directed towards the stabilization of the developing mind, it must never lose sight of the truth that, in the last analysis, it is a self-stabilization. Just as God Himself respects the freedom He has conferred upon His creature, so must the teacher remember that he is, after all, but an extrinsic agent in the process of education.

But though the teacher is but an extrinsic agent, teaching is only possible because of the kinship existing between mind and mind. In any given mind the process of learning is the same: first comes the sense-experience, the apprehension of some visible, audible, tangible object, which I first of all dimly apprehend as a thing, as something not me, though in some mysterious way I make it mine, it enters into me: all I know at first is, perhaps, in the words of Professor James, "one big, blooming, buzzing confusion". Each feature of that confusion possesses significance. It is the teacher's task to direct the child's mind to this or that feature of it, features possessing a significance for the teacher, which he seeks somehow to "get across" to the child. How all that is to be done, how the child's mind is to be led on to draw for itself increasing "significances", how the growth of the child's mind is to be stimulated and encouraged without undue assertiveness on the part of the teacher, yet with no lack of the necessary firmness and guidance; what departments of knowledge are to be opened successively to the mind of the pupil—all these are questions of detail which it is not our present purpose to discuss. Much excellent work has been done in this department since the days of Pestalozzi. Pestalozzi himself, for instance, urged: "Let the child not only be acted upon, but let him be an *agent* in intellectual education." St. Thomas would reinforce that by pointing out that, in fact, education is only possible where the child *is* an agent. And Spencer's remark: "It cannot be too strenuously insisted upon that in education the process of self-development should be encouraged to the fullest extent" adds nothing at all to the doctrine of *De Magistro*.

There is, however, one point of peculiar practical importance to be found in our analysis, and it may be worth while spending

some little time on it. And that is the question of "symbols" to which we referred at the beginning. For, whilst it has a practical bearing it also reinforces the moral of this whole discussion. Symbols, by their very name, are related to something. To suggest that education consists merely in getting a lot of symbols—lists, schemes, diagrams, etc.—"by heart" is rather like suggesting that to take a journey is merely to collect a whole lot of signposts. All objects are, in a real sense, "symbolic", inasmuch as they are particular expressions of a universal meaning. The mind, as we know, has the capacity to "abstract" that universal meaning from the particular; and the crux of the whole business of education is to devise a scheme of symbolic presentation which will ensure that the free activity of the pupil will be stimulated to know. "Hence," to quote St. Thomas again, "one man is said to teach another because the teacher proposes to another by means of symbols the discursive process which he himself goes through by natural reason, and thus the natural reason of the pupil comes to a cognition of the unknown through the aid of what is proposed to him."

Perhaps the chief danger encountered in planning a syllabus or curriculum is that the teacher or planner may fail to appreciate the significance of those words "the discursive process which he himself goes through". Because the adult mind has come to hold its sum of knowledge in a synthetic unity, in which each element illustrates and integrates with the rest, we sometimes fail to realize that this result is the effect of a long process, and that we did not as a rule *learn* that way. And, what is more, as St. Thomas reminds us, "all learning comes about through pre-existing knowledge". Which suggests that the secret of successful teaching is the finding of links between subjects: or, perhaps better, so arranging the syllabus or curriculum that, as we have already suggested, each subject leads on to the next, leaving in the child's mind a problem to be solved, a question to be answered.

THOMAS CORBISHLEY, S.J.

THE SURVIVAL OF THE VILLAGE

THE issue as to whether the English village is likely to survive into the future has, owing to the revival, by necessity, of agriculture, become a living one again for the first time since 1920. Unfortunately, the discussion has been mainly confined to the fields of urban speculation and planning, so that

it has inevitably resolved itself into one of machinery, organization and economics. I shall leave out of account here the proposals for the nationalization of the land under a system of joint-stock management of large-scale *latifundia*, or for a strictly limited agriculture growing only "protective" foods which would not interfere with the *laissez-faire* principle or lack of principle of importing the main bulk of our food from abroad, mostly as interest upon foreign investments. The latter is a chimaera in any case, but both would be fatal to the survival of the village since it would cease to be an entity in itself and become merely an extension of urban centralization, as parasitic as a suburb.

Granted that agriculture is not jettisoned once more, as it was in 1920, a rather daring assumption, it is quite true that the survival of the village does depend upon the readjustment of external machinery and a revision of the economic system. Agriculture itself cannot survive without the provision of interest-free or cheap credit, without guaranteed prices, economic security, the first claim upon the home-market and the restriction of the extravagant profits of the distributor. For the village stands or falls by its agriculture and the industries associated with it. But these things are not the life of the village, they are merely an indispensable means to its rebirth. That life is social and only secondarily economic, and so must be understood from the historical point of view. To that end I propose to give an account of what has happened to the social life of a highly representative English village.

The reason why it is representative will appear in the context and I hope, later, to draw certain general conclusions.

One day I went over to Yarnton, in Oxfordshire, to see if I could pick up any memories of the dividing-up of the lot-meadows. The continuity of this custom with that of the old open field village community was destroyed just before the war by the driving of a bypass through the middle of these immemorial meadows that run down to the bank of the Isis. I wanted to go before the memory of even the vestige of this traditional and communal custom had been utterly blotted out, and I wanted to get my information not from the extremely scanty printed records but from some villager who had himself taken part in the ceremony of allocation and swept his scythe over those ancient meads.

Yarnton, once Eardungton, a dwelling tun (the village cattle put to common used to be marked with an E), is, or was, one of the most interesting villages in England. The survival of the ritual of the lot-meadows was due to the almost unique fact

that the village escaped the eighteenth-nineteenth century Enclosures. Cassington, a large village in the neighbourhood, possessed a similar custom of drawing the Lammas lands and this was abolished by an Enclosure Act of 1804. In Domesday Book, thirty Yarnton villeins are recorded as holding a virgate (thirty acres) each, among them Nicholas le Carpenter, Will in the Lane, Adam Faber (smith), Richard le Gardiner and Will ate Green. The village then passed into the keeping of the Cistercians, the great husbandmen of the Middle Ages, and was by them freed of all dues, forced services and inquisitions, thus reverting to the conditions of the democratic free vill. Judging by the records of the Cistercians in Dugdale's *Monasticon* and elsewhere, the monks lived on the roughest and sparsest fare, the abbot himself laboured in the fields with the brethren, and every Cistercian estate was entirely self-supporting, the religious baking their own bread, brewing their own beer, breeding horses, stock and sheep, spinning their own wool, working the iron and lead which they used in the churches they built for themselves and, as craftsmen-cultivators, benevolent landlords and intelligent farmers, setting up a pattern of regional self-government which conferred benefits upon the freedom and vitality of village life that cannot be exaggerated. It is said that the fine cross outside the west door of Yarnton Church was erected to commemorate the Whitsun Procession of Rogation Tide to bless the fields and a steading there was up to recent years called Paternoster Farm. Thus agriculture received the sanction of religion and religion walked with its head among the stars but its feet upon the earth. Such was the good fortune of Yarnton up to the Dissolution, when the Spencers became the lords of the manor. But the example set by the Cistercians was for some time maintained—"there were no labouring poor: all were small renters farming on their own account" (*Oxford Hist. Soc.* Vol. XXIV). With more progressive days "many small farms were absorbed with the usual results—a long list of persons on the rates".

Yarnton is a limestone village with true oolite building stone and stone-slats to the roofs and even the byres, outshuts and barns. This typical Cotswold architecture stretches east as far as Islip on the Cherwell and north of that to Bletchington, the Heyfords and Aynho in the toe of Northamptonshire on the border of the ironstone country of the Northampton Sands. East of Islip as far as the Otmoor villages, Charlton, Oddington, Mercot, Fencot and Arcot, encircling the waste like a string of grey pearls, the same grey limestone extends but with thatched for stone-slatted roofs. Thus, eastward from the Valley of the

Evenlode to those of the Cherwell and the clotted sedgy Ray that dawdles through Otmoor, all more or less parallel and running south (the Ray joins the Cherwell at Islip), the Cotswold style is paramount, nearly twenty miles from the scarp and in a country almost as flat as the basin of the Upper Thames. And it is probable that the stone of most of these villages came originally from the great quarries of Stonesfield, west of Yarn-ton, now all grassed over but once the quarry-stone for Roman Villa, Norman and fifteenth-century wool-church, Renaissance manor, seventeenth and eighteenth-century farm and cottage. The memory too just lingers of those times when a true rural civilization existed in this region—the memory of Beating the Bounds at Charlbury, of the Westcote strips above Burford, of the marshmen's revolt against the enclosure of Otmoor and of the Yarn-ton lot-meadows.

This memory weighs on the heart because of the many and violent contrasts between then and now. The great square tower of Charlton Church once looked out on the stone cottages of a "bold peasantry, their country's pride" who went to prison rather than surrender their ancient rights of commonage on the Moor and made a living out of that most desolate of wastes by such frugal husbanding of the sour moor-grass as only peasants know. Now that lofty tower stands above choked water-courses, a river that can barely move for surface slime and empty or patched or gaping cottages that are sometimes but shapeless heaps of stone. In spite of this, there is more actual life and movement along the fringes of Otmoor than in any of the big machine-run tenant farms beyond them. There are folded sheep, tethered goats, herds of cattle passing through farm gates or pausing at one of the numerous pools of the villages, and in Murcot, a hamlet that looked deserted because of its ruinous decay, I saw four shire horses within a few yards. Ducks, hens, ponies, geese are always cropping up round corners and these are all reminders of livelier days when all the villages of Otmoor were populated with peasant smallholders and the Moor resounded with the clangour of the geese.

Westward of Islip, a scene of a different desolation approaches its climax at Kidlington. The needle spire of Kidlington Church is visible from many points of the Cherwell water-meadows, a miniature of the Fenland churches; the languid winding stream breaks into a brisk pace over a toy waterfall, lines of willow, clumps of alder, rich grasses and the spire over all lull the traveller into a sense that all is well in this de Wint landscape, that this timeless relation between soaring spire and rich, flat, well-watered earth is by its very nature as abiding as its beauty

in paint. Thus, the shock of the modern Kidlington is like a sudden impatient crash upon the keys in a pastoral of Handel. The modern Kidlington is a bungalow village strung along a kerbed arterial road, without shape, meaning, the shadow of a relation to the countryside it sprawls upon, without a single touch of grace or modesty. It is a discord imposed upon these quiet, soft, meditative, slow scenes like a club dashed through a stained-glass window. All of a sudden one understands why we live in an age of explosions. The new Kidlington is a sudden wrench in the seemliness and serenity of meadowed England, a sudden tearing of its interwoven fabric.

West over the Oxford Canal Yarnton introduces itself by a row of villas with elm-boarded gables (left rustically rough), as though Giant Progress ("I smell the blood of an Englishman") had taken a stride over the canal. It strode into the only other village in England beside Laxton and perhaps Haxey and Epholme in the Isle of Axholme where Cobbett's commoners of England still maintained (before the bypass) their rights, were still a co-operative land-owning peasantry in one particular—the parcelling out of the lot-meadows. I made my way gingerly into the village, dilapidated in its age, raw and uncouth in its newness, but with here and there relics of the Yarnton that was. So in the church were fragments of old glass of the translucent and prismatic colours of an old fairy-tale, a Roman de la Rose or a dream of paradise. The day was as beautifully fitted to the glass as were the water-meadows to the old farms and cottages, for I had come to the church between hedges of old gold and crimson arras, past a grove of chestnuts like a funeral pyre and ashes of what was once called fairy gold, a gold so pale and volatile as hardly to be substance.

A small acreage, West Mead, remained between the river and the bypass, driven like a stake through the heart not only of the old custom but the social life it represented. For the ceremony is dying; the road had severed its umbilical cord with the past. I walked through a farmyard with a line of seven corn- and hay-stacks like seven sacred shrines of Ceres and out into a field of marrow-stem kale swaying on their stiff woody stems in the high wind. I looked back across the field to where on its border among trees stood the pile of the limestone manor, the little square tower of the church, the farm-buildings I had left with the sweeping clear-cut lines of their slatted roofs. Nothing seemed changed: church—manor—farm, they were still there, all built of the same stone, the stone that had been used for 2000 years from the long barrow downwards, the first stone building in England. Church—manor—farm—cottage, all had partaken in

the casting of the lots; the vicar had his, the lord of the manor his, the village theirs, some more, some less, but all once had lots from peasant to lord. Now the heart has gone out of it all; it is kept up as an "old custom", a picturesque relic, preserved out of a listless habitude. What I wanted was to get into touch with someone who knew the ritual when it was a living reality, the persistence into an alien world of a time when a village was a community of co-operative landholders, a single farm, with common rights and common responsibilities but with individual ownership, something better than communism, better than individualism, the best of both. I wanted a living contact with this old, the real England, the England of a rural culture destroyed by the villa, the bungalow and the petrol pump, but in this village alone in all the south retaining a vestige of its ancient rights and of the vigour of the old regional life.

I walked on through a field of stubble and in the distance was an old man lifting potatoes on to a tumbril with a shire horse in the shafts. As he straightened his worn old body he looked over towards the meadows beyond the hedge which year by year for at least eight centuries had been the scene of the lot-drawing. For it originated in the purpose of the old commoners that everybody should take his chance of the best and the worst land, cottar, villein, freeholder, lord and priest. He was a very worn, gentle old man with that humble courtesy that is poignantly unlike the way of the aloof, landless, modern labourer and the way of the independent commoners who were his forefathers. Yes, he said, in his young days there had been many more lots, but then the lots grew bigger with a smaller number of competitors for them. I asked him what they did before the road was driven through the middle of the village lands and the village rights, the road that meant nothing except going more quickly from one place to another, that was a mere road and cared nothing about the fields through which it passed. It does not matter what they do now that the road is there.

In his young days the villagers, including those of the parishes of Begbrooke and Water Eaton, had elected the meadsman (now the job is for him who will take it on). He held the bag that contained thirteen coloured balls about the size of a walnut and corresponding with the Tydals or Tythals of the strips or parcels separated by stones and stakes of Oxhay Mead with 70 acres, West Mead with 80 and Pixey with 60. Each "draft" consisted of thirteen lots and each lot had a name marked upon its ball—Gilbert, White, Harry, Boat, William, Freeman, Rothe, Walter Molly, Walter Geoffrey, Perry, Green, Dunn, Booton. When the drawing was done, runners marked the "treadways" between

the lots by running across the grass from fixed stakes, shuffling their feet as they went. The measurements were peculiar and evidently very ancient: an acre was a lot, a hoboker half a lot, and a yard (derived from the old English "yardland") a quarter of a lot, while a man's mowth was reckoned at a scratch acre. The first mead (Oxhay) was scythed on the first Monday after old St. Peter's Day, West Mead on the following Monday, Pixey on the Monday after that. When the lots were cast, each new owner took his scythe and "made his pitch", that is to say, he mowed round the post or pile of stones that was his boundary mark. That was all he did then; the rest of the day was a holiday, a feast-day with dancing and beer and races. They ran races for tobacco and red petticoats.

There were two other things they did which opened up long vistas into the past. One was to make a garland of the finest grasses in the meadows and place it in the church, but long before that, I am very sure, upon some rustic shrine of the native and regional Demeter or Proserpine. In thirty years I have come across only three examples where a pagan festival was, as it were, consecrated by coming to church—and these were all instances of straw-"dollies" being made for the Harvest Festival. The other thing they did was to pluck a flower that grew in the ditches, and this they put in their buttonholes and round the girls' necks. I could not discover from the old man what this emblematic and enigmatic flower was until I guessed what it was from consulting Mrs. Stapledon's *Three Oxfordshire Parishes* (1893). Woad was at one time extensively grown at Yarnton and woadsmen were elected just as meadsmen were. When woad-cropping became obsolete (like so many other crops) the plant still survived as a wild flower, and I have little doubt that it was woad which the old man once hung round the neck of his sweetheart on St. Peter's Day. We went "merry-making", the old man said; it is his word, not mine. They went merry-making; Progress has put an end to that all right. We don't merry-make nowadays; we go to the cinema and listen to the wireless making jokes, but there is no more merry-making. "Merry England"—there never was such a thing, say the wiseacres. The word "merry" means drunk now, and you get drunk to escape from the post-merry world.

I left the old man to his potatoes. I did not so much mind now about the villas and the bungalows and the ceaseless roar of the aeroplanes overhead. I had had a glimpse of the real, the timeless England, an England of when the fields came into the church and the church went down to the fields, the England we have to rediscover in order that England may be restored to

herself. From what the old man told me, and what I found out from the parish records, it became clear to me that the history of Yarnton can be divided into three stages: a pre-nineteenth-century stage reaching back to Saxon times, a transitional stage at the time when the old man was a boy, and the modern stage. In the first, Yarnton was a village of peasant proprietors under the spiritual leadership of the Cistercians who christianized the old pagan rituals and seasonal observances without abolishing them, according to the decree of Gregory the Great, and released the peasant property-holders from feudal exactions. The Spencer family made no severe break in the continuity because Yarnton was never enclosed. In the second stage, when the Spencer estates were broken up, the holdings were fewer, there was more exclusive competition for them and a regulation made that the meadows must be cut in one day had a disastrous effect upon the old communal rite and festival. For the need to cut in time led to the importation of outside labour "to the detriment of the home labourers" (*Three Oxfordshire Parishes*). This led to rioting and fighting, and in 1815 special constables had to be sworn in. Exactly the same transition occurred to the old Dover's Hill Games in the north-western Cotswolds, revived by Captain Dover and Endimion Porter, that Shakespeare had once frequented and to other villages where at exactly the same period festivals degenerated into feasts. The third stage is that of the bypass, slashing through the meadows so that only part of West Mead was left when the labourers are all landless and the lots are drawn by farmers and gentry only, while into the village has crept the backwash of the modern Kidlington.

The main conclusion that emerges from this survey of a village in a specially advantageous position to be surveyed is that the vitality and continuity of any given village depends upon its self-maintenance as a self-acting social organism, with agriculture as the base of the social structure and religion as its apex.

The Enclosures were a highly disintegrative movement, or rather mutation, because they separated the people from a stake in their fields and religion from a permeation of the communal spirit. Modern developments have only accentuated their social consequences. It is not the revival of agriculture alone which can reanimate the social life of the village and make it once more a self-conscious unit, though that revival under equitable economic conditions is an essential prerequisite of village integrity. High wages, better housing, access to urban mass-amusement, shopping facilities, a "standard of living" not inferior to that of the industrial worker are not really primary considerations at all; they are urban palliatives that do not touch

the heart of the issue. The land-worker does not leave the land because of low wages, insufficient drainage, poor housing, tied cottages and the like, as the planners all assume. He leaves it because these are the consequences of the dislocation of the social structure. Therefore the restoration of that structure is synonymous with the revival of the village, and the village can neither revive nor survive until its villagers attach themselves to their fields. And that they will never do until they recover a share in them. Once that is achieved, in whatever form suitable to modern conditions, the rest follows. The mechanization of agriculture merely means the substitution of machines for men and the destruction of the interest-value of food-production. Therefore the cottager must have beasts and land, and since he has always been co-operative in such conditions he will be so once more when he works his own fields. And the task before the churches is to recover their spiritual leadership by throwing the sanction of religion over the principle of responsible property.

H. J. MASSINGHAM.

THE BEVERIDGE REPORT: SOME REFLECTIONS

I

THE Beveridge Report is an enormously long document, packed with detail. It could hardly be anything else. Good or bad, it is probably the most important document in the history of the social services of this or any other country. It sets out to abolish want, i.e. acute poverty, as defined by social investigators. It does so by a complete reorganization of all the social services apart from housing and education. It recognizes the supreme importance, of course, of a proper policy for providing employment, and indicates the main lines on which that task should be tackled; but the task itself lay outside the present terms of reference. With that tremendously important exception the Report offers a complete scheme of social security for Great Britain.

The Report does three things:

(1) It provides in great detail a comprehensive, unified scheme of social insurance. The words to note are A: comprehensive; B: unified; C: insurance.

A: The scheme is *comprehensive* (a) in the sense that every

citizen is covered, whether they be rich or poor, instead of compulsory insurance being confined, as now, to employed persons; and (b) in the sense that all the main risks will be provided against, with the guarantee of a subsistence income or *national minimum*. Apart from death, where the provision will be especially generous, the three most common causes of loss of earnings are unemployment, sickness, and old age. In each of these cases a man and wife under the Report will receive £2 a week. This means a general closing of gaps, abolition of overlapping and anomalies, and raising of rates. At present a married man gets 30s. for a time when he is unemployed, 18s., reduced after a time to 10s. 6d., when he is sick, and 20s. when both he and his wife are 65, plus a supplement subject to means test. Under the Beveridge Plan he and his wife will draw the 40s. so long as the interruption of earnings continues.

B: Already we are passing to the second main point about the scheme. It is essentially *unified*. The British social services have grown up *ad hoc* piecemeal, higgledy-piggledy, according as public outcry centred on some particular defect or voluntary agencies struck out some line for themselves. Never until now has Parliament been presented with an attempt to draw up a co-ordinated plan for the social insurance and assistance services as a whole. The differences in unemployment, sickness, and old age benefits are only one instance of the complete lack of co-ordination that prevails today. Another is the existence of no less than four means tests and a whole maze of central and local agencies and departments, between which the unfortunate unemployed or sick or old person may wander. Under the Beveridge Plan there will be a single contribution, and a single Ministry of Social Security with local branches, so that everybody in search of benefit will know exactly where to go and will have all their problems investigated together.

C: It is, essentially, a scheme of *insurance*. Contributions will be paid, as now, by the insured person, by the employer where there is one, and by the State. (The cases of the man who is his own employer, the housewife, etc., are catered for with special contributions, special benefits, etc.) There is a fundamental difference between insurance benefits and assistance payments, e.g. between the present contributory and non-contributory old age pensions. The former, as the result of contributions you have paid, gives you a benefit when you have proved, e.g. that you have reached a certain age, irrespective of your income; the latter are paid for out of general taxation and are awarded only when you can prove your need, i.e. are subject to means test. Nearly all countries, and England up to the present day,

cover part of the field with insurance and part of it with assistance. The Report sets out boldly to cover the whole field as far as humanly possible with insurance, which means the virtual abolition of the means test when the scheme is properly working.

The means test, however, will continue to operate as regards old age pensions during a transitional period, while the contributions are accumulating. And there will always be a few unpredictable and recalcitrant people for whom no insurance scheme can properly cater; these will be dealt with by the Ministry of Social Security on assistance-plus-means-test lines, but their number should eventually become negligible.

There are two big exceptions to the rule just stated that eventually the whole population and all the main risks will be covered by compulsory insurance.

(2) *Family Allowances* will be paid out of State funds, without insurance contribution, at 8s. a head, beginning with the second child when the parent is earning and the first child where the parent is not. These will apply to all sections of the community whatever their income. At present there are no family allowances, apart from income tax rebates (which will not be directly affected), except in special circumstances. For example, an unemployed man gets 4s.—4s.—3s. for his first three children, though curiously enough there are no dependants' allowances of any kind for a man who goes sick. The greater generosity of the Beveridge as against the present scales of benefit was indicated above in the case of a man and wife without children; it becomes much more obvious if you suppose two children. For instance, at present such a family would draw 38s. for unemployment; 18s., reduced after a time to 10s. 6d., for sickness; and 10s. (apart from supplements subject to means test) if the man was 65 and the wife was under 60, which she probably would be if she had two children under 16. Under the Beveridge Plan the family would receive, as of right and without means test, 56s. in every case.

(3) *National Health Service*. The present National Health insurance, providing free medical treatment for those who are within the scheme, falls far short of a national health service for at least three reasons: (i) it is confined to employed persons receiving less than £420 a year; (ii) even this limited class do not get medical treatment for their dependants, e.g. a miner or clerk gets free treatment if it is the man himself, but not if it is his wife and children who are sick; and (iii) the treatment in question is simply a general practitioner and a bottle of medicine: if you have to go into hospital or require a specialist you have to pay according to your means, i.e. only get the treatment for

nothing if you are virtually destitute. The Report would set up a complete national health service, open and free to all whatever their income. What changes in medical organization—how far, for instance, it involves making all doctors servants of the State or local authority—this and similar questions are left over for subsequent inquiry.

What are the main objections likely to be brought against the scheme? Naturally everyone will want to know how much it will cost. The round figure to fasten on is an increase in the burden of general rates and taxes of £86 million a year after the war. But this increase is more than brought about by the family allowances and the free medical service; for a long time to come, the actual insurance scheme will involve no new net addition to Exchequer charges.

Controversy is likely to arise from the interference with important vested interests in the voluntary insurance world. It is inevitable that if you extend the scope of State compulsory insurance you are liable to kill the goose that has laid golden eggs for companies that have, quite legitimately, made a good thing in the past out of the promotion of voluntary insurance. In *National Health insurance* half the field is today covered by Friendly Societies, i.e. non-profit-making societies, with mutual benefit, and half the field by profit-making companies. The Beveridge scheme indicates a new rôle for the former, but finds no place for the latter in the compulsory scheme, although it stresses again and again the desirability of using voluntary agencies to encourage citizens to insure for benefits beyond the £2 minimum which they would obtain from the State. It envisages, indeed, a larger and not a smaller part for voluntary insurance in the future. But it will require considerable imagination on the part of voluntary agencies to adapt themselves to changed circumstances.

No agency makes a direct profit out of *National Health insurance*, but the big companies find it invaluable as a means of getting their foot inside the door. Once in that position of vantage they are well situated for pushing, e.g. burial insurance, from which they make considerable profits. At present some £74 million a year is subscribed by the working class in connection with what is called *industrial assurance*, which means life assurance business conducted through house-to-house collectors. Seven and sixpence in every £ subscribed is absorbed in the expenses and profits of the companies; whereas it is estimated that if a funeral benefit is tacked on to the State insurance scheme, as is the case in most European countries, only 6d. in the £ need be absorbed in this way. But the potential loss to the companies is

bound to be very heavy. The Beveridge Report fully recognizes the need for adequate compensation and provision for the staff, etc., and utilization in the interests of the State of the accumulated skill and experience now possessed by the companies.

The aim of the Report is to provide security for service: a national minimum when earnings are interrupted in return for contribution while earnings are available. By encouraging voluntary insurance beyond the £2 national minimum it is sought to reconcile security with British traditions of individual self-respect and freedom.

II

The existing British system of social insurance is far from perfect. It has grown up piece-meal and has never at any moment been tackled by Parliament as a single whole. Administratively and psychologically, its welter of imperfectly distinguishable authorities, its mass of minor but far from negligible anomalies, represent a burden that few, if any, foreign countries are called upon to bear. Regarding unification, Great Britain has lessons to learn from New Zealand, Rumania and Bulgaria; regarding comprehensiveness of persons covered, from New Zealand and Denmark; regarding comprehensiveness of risks covered, from New Zealand. In failing to collectivize the employers' risk under workmen's compensation, to provide a State funeral benefit (in both of which respects, however, New Zealand also fails), to offer medical care that goes beyond general practitioner treatment and extends to dependants of insured persons, in more than one aspect of maternity service—in all these matters Britain follows in the rear of the great majority of nations. Britain offers no scheme of allowances for children—other than dependants of certain benefit recipients—to compare with such general or partial schemes as those of Australia, New Zealand, Germany, Belgium, France and Italy. Other failures to excel, e.g. the absence of dependants' allowances from sickness insurance, the sharp drop in benefit with the passage from sickness to disability, the means test for the award of the full non-contributory old age pension, will readily suggest themselves to the ruthless critic.

Nevertheless, one cannot point to any country, with the single exception of New Zealand, whose totality of insurance services equals those of this country today. "The existing British system," say the I.L.O., invited to single out its characteristic

virtues, "excels in point of (i) its scheme of unemployment insurance, embracing practically the entire employed population, including agricultural workers; (ii) its contributory pensions, comparatively adequate (*sic*) as basic pensions, and granted after a comparatively short qualifying period, at comparatively small cost to insured person or employer; (iii) its unemployment and old age assistance, nationally financed, guaranteeing a tolerable standard of subsistence, and adjusted to the needs of each individual; (iv) the continuity of its medical benefit, granted, from the first day of insurance, during employment, sickness, unemployment, disablement and old age."

Attempting an analysis of our own, New Zealand, Bulgaria and Poland are the only three countries which cover all the "Big Four" among the insurance risks—occupational incapacity, non-occupational incapacity (sickness and invalidity), unemployment and old age: and of these New Zealand, the exception just referred to, alone possesses standards of living or rates of insurance benefit comparable to the British. The United States and Soviet Russia, coming late into the field, have made remarkable strides in the last few years. But the U.S.A. has as yet no scheme of compulsory sickness insurance; while the most noteworthy of her achievements, the connection she has established between social insurance and the provision of work, lies outside our immediate field. In the U.S.S.R. even the medical service, a just source of special pride, has yet to extend itself fully to the remote agricultural regions. As regards Germany, when it is borne in mind that just before the war average British wages could buy more than twice as much food as average German wages, there can be no disputing the far greater "absolute" command over purchasing power possessed by the British working man in case of interruption of earnings. Our concern in these reflections is mainly with social insurance; but the existing balance would certainly not be tipped against Great Britain if the comparison were extended to cover those many aspects of the social services which, as non-contributory, free or paid for according to means, are placed under the heading of social assistance.

Be the past what it may, the Report would introduce a new era. By and large, the relative weaknesses mentioned above would be converted into features of strength. No country would be so unified, for in New Zealand and Bulgaria workmen's compensation is not yet consolidated into the general scheme, and Rumania lacks unemployment insurance. No country's security scheme would be quite so comprehensive, for the national scheme of Denmark offers no compulsory

unemployment insurance, and in New Zealand the higher income groups are precluded by a means test, not indeed from contribution, but from all except "superannuation" benefits. In no country would the employer be more automatically insured against liability under workmen's compensation. State funeral benefits would terminate a persisting drain on the resources of the British working class, would place this country on an equality with the great majority of progressive nations, and incidentally confer on her one outstanding advantage denied to the people of New Zealand under their great charter of 1938. A national health service, including the fullest maternity treatment, would raise Britain on to the same plane of endeavour as New Zealand and the U.S.S.R. The inadequacy of sickness benefit and the sickness-disability drop would disappear. Family allowances at 8s. would begin with the second child where the parent was earning and would be available to all children where the parent was unable to earn. They would compare not unfavourably with the New Zealand allowances (pre-war) of 4s. to all children, increased to sums of 5-10s. where the parent was in receipt of benefit. If we attempt a global comparison with New Zealand we may conclude, though the matter is open to dispute, that between two schemes remarkably similar in their cash benefits the old age provisions leave New Zealand with a slight advantage on balance; it is more than redressed by the entire absence of the means test from the mature scheme of the Report, an absence as deliberate and fundamental as its presence in New Zealand; also by the inclusion in the Report of the State funeral benefits lacking in New Zealand.

In the matter of the means test, as in a number of others, the Report has not aimed merely to bring this country abreast of her foremost rivals, nor even been content to move a step or two ahead along a common path. It is true that many of the proposals, even when apparently unfamiliar, have been anticipated abroad; there has been no hesitation, to give only one instance, to learn from the United States in imposing a retirement condition for old age pensions. Other proposals, however, are avowedly original, e.g. the non-profit-making industrial assurance corporation; the guardians' in lieu of orphans' benefit; in the form proposed, the training and rehabilitation grant, to name only a few. Other proposals again, and these perhaps the most characteristic, are the fruit of deep-rooted British conceptions—logically developed to correspond with the movement from a patchwork and partial to a unified and comprehensive system. As emphasized above, the scheme is one of insurance. It sets out to conquer the social evil of want through the social

virtue of thrift. It insists that private and voluntary thrift, yield though it must some of its present territory to thrift that is compulsory and communal, has nevertheless a larger not a smaller part to play in the future. Flat rates of subsistence benefit are necessary, on this view, to leave room for voluntary supplementation; flat rates of contribution follow necessarily to preserve the insurance connection; means tests are rigidly excluded, as the great standing discouragement to all who would otherwise aspire to save. These points accepted, foreign schemes, for all their admirable and instructive detail, at a certain point cease to be applicable. The plan in the Report for a British scheme of social insurance, for Great Britain, must be set in its national context and judged on its national implications.

III

Such is the secular case for the transformation of the British social services, apart from education and housing, that the Beveridge Report recommends. Fundamentally, it is an attempt to abolish want—poverty, that is to say, so intense as to damage health—by the method of social insurance. It is an attempt that can hardly fail of its economic object, provided always that Sir William Beveridge's Assumption C is fulfilled and unemployment kept down to some such figure as $8\frac{1}{2}$ per cent. There is no need to seek to demonstrate here that the country can in fact reduce unemployment to this level immediately after the war and in every economic sense afford the benefits and burdens of the Plan. The arguments of those who think otherwise, even if upheld, could only postpone the introduction of the scheme for a period of years. It would retain its place as an ideal and as a practical goal.

Passing to a different plane of criticism, some anxiety as to the spiritual effects of the scheme has been exhibited by one or two publicists on the extreme right. They do well to remind us that public preoccupation with material security has its dangerous side; they would do well to remember that it is this very preoccupation from which the Beveridge Plan, judiciously interpreted, offers us at last a way of escape. Few would seriously claim today that widespread want is a desirable sound phenomena; that it is better for a man's soul to lack than to possess 24s. a week when he is sick or unemployed or old; fewer still would dream of denying to their own children such a reserve of subsistence if the means to provide it lay in their power. The case in the abstract for the abolition of want is surely proven

—supposing always that the method of abolishing it be spiritually unexceptionable. And surely here the onus of proof lies heavily on those who would block rather than on those who would clear the way.

It may be questioned with more plausibility whether the source from which the Beveridge subsistence will be forthcoming is not the real danger; whether, for instance, it does not conflict with the whole spirit of the Papal Encyclicals that we should look to the State rather than to our own savings in periods when we are unable to earn. In the light of a well-known passage in the Encyclical on Atheistic Communism only the temerarious would argue that social insurance was in principle contrary to Catholic teaching. But social insurance, carried to its logical extremity, means insurance under conditions of nation-wide operation, nation-wide pooling of risks, Government compulsion and Government monopoly. We need not stop to argue here whether compulsory social insurance in this sense is the ideal remedy that an essentially Christian society would in all circumstances look to. The truth is that it is the failure of modern capitalism in at least two vital respects that has made comprehensive compulsory social insurance an inevitable and pressing reform. One has in mind (i) the failure to provide a living wage, out of which even the worst paid workers could accumulate property of their own and make adequate provision against all the main economic risks; (ii) the failure of existing mutual benefit associations and still more of profit-making insurance companies to give the working man insurance facilities that can compare in extent, cheapness, convenience and security with those that a modern State can offer him.

The second failure, unlike the first, may be under modern industrialism technically and economically inevitable. The Report records on the one hand the pronounced swing of public opinion in this country away from the idea originally entertained of promoting unemployment insurance "by industries"; on the other the fact that funeral insurance is now conducted by private companies at a cost to the working man in profits and expenses of 7s. 6d. in every £ against the 6d. in the £ that the State would find it necessary to charge.

In admitting, however, the increased place that the State will occupy under the proposed Plan, there is no need to concede too much to the critics. It would be a gross over-simplification to regard the Beveridge scheme as crudely unified in the sense of being so centralized as to exclude altogether the principle of mutual help. One immense advantage of the Plan, the encouragement it offers to family life, must be left over for discussion

on another occasion. But apart from that, and apart altogether from the place reserved for voluntary insurance in supplement of the subsistence minimum, the tempting offer to the Friendly Societies should not be ignored, nor put down merely to diplomacy and craft. The Friendly Societies will see in it if they are wise the opportunity to double their sphere of operations inside the compulsory scheme itself without any such loss of autonomy as might sever their democratic roots.

Christian sociologists might do worse than concentrate on breathing life into these sections of the Plan: also on ensuring the rôle of a quasi-autonomous public utility rather than a nationalized character for the public corporation which, Sir William recommends, should conduct Industrial Assurance in future: also—to touch on a point which deserves exhaustive treatment—on securing a degree of local democratic control over the local branches of the proposed Ministry of Social Security.

Summing it all up and making all proper allowances for secular and Utopian illusions, the scheme sets itself a goal—the abolition of want—which all humane Christians must applaud. Abolition of want means guaranteeing a subsistence income from some source or other to every citizen whose earnings fail, through no fault of his own (as, even in a society from which unemployment had been banished, they would continue to fail the old, the sick, and the widow with children). Three alternatives here confront us:

(i) If we are going to say that people ought themselves to make provision against such contingencies, we must make sure that opportunities are open to all of earning a wage from which savings are possible: and there is no country today in which such opportunities exist for the *whole population*.

(ii) Alternatively, we can fall back on Social Assistance in some form or other—the revenue derived from general taxation, the benefits subject to means test. That is the method of New Zealand. “From each according to his ability, to each according to his needs.” It is rejected in the Report, as explained above, for two overwhelming reasons. First, it destroys the link between the contribution and the benefit in the compulsory scheme, and secondly, it discourages voluntary saving.

(iii) This approach also discarded, we are confronted with the one outstanding alternative—a plan which seeks to connect some sense of personal sacrifice, some conception of family property, with the benefits received from the State: a plan, in short, which retains the principle of mutual insurance, albeit on national and compulsory lines. This was the choice of

Sir William Beveridge. Between the three alternatives mentioned it is difficult to believe that a Committee of directly Christian inspiration would have made any different decision than his. But the battle is not yet over. In the recollection of the present writer the one distressing feature of the Beveridge inquiry was the failure of Christian lay bodies to come forward and give evidence. In the strenuous discussions and controversies that are likely to surround the attempt to give effect to the Report, Christian laymen still have time to formulate and press their standpoint.

There is only one sin against the Holy Ghost in this connection—that of raising the disingenuous parrot-cry of “totalitarianism” at any fresh interference with the pitiless anarchy and schoolboy economics of extreme *laissez-faire*. It is the sin against the Holy Ghost because it provides many of us with an all too welcome excuse, whenever the sufferings of the poor are mentioned, to put our feet up on the mantelpiece with the comforting assurance that “unfortunately nothing can be done”. No educated Christian today can be lightly forgiven a mixture of complacency and defeatism which leads straight back to the social philosophy of Jeremy Bentham, the Poor Law of 1834, and the agonies of early industrialism.

In real life, of course, so long as wages remain remotely near their present level, we are committed to supplementing them by a social service régime, a régime, incidentally, which has no preordained relations, friendly or otherwise, with a totalitarian condition. True, a totalitarian state may on occasion make use of social services for its own purposes, but social services may serve just as readily in a democratic community to avert that insecurity and moral collapse from which totalitarianism springs. Apart from New Zealand, Great Britain already has the best and most extensive social services in the world, but even an hysterical Benthamite would hardly place Britain before the war among the more totalitarian nations.

As Christians we are dedicated on the social plane to ensuring to the mass of our fellow citizens full opportunities for spiritual development and, as an elementary prerequisite, a minimum level of material subsistence. Various methods have been seen to be available. Which of them is it to be? The whip of the starvation motive? State charity? Social insurance? The case for social insurance is strong. And if it is to be social insurance, does not the case become overwhelming for superseding the present waste and overlapping and muddle by the order and efficiency of a reasoned plan?

FRANK PAKENHAM.

THE FOUNDATIONS OF JUSTICE AND LAW IN THE LIGHT OF THE PRESENT EUROPEAN CRISIS*

I

IN the course of centuries many attempts have been made by historians, philosophers, lawyers, and politicians to define what justice is. Discriminations between various principles of justice have been made to characterize the various functions justice has to fulfil in the secular world. Aristotle's famous distinction, for instance, between a *justitia distributiva*, *correctiva* and *commutativa* has had a lasting influence in literature down to the present day.

The most convincing definition for all the various forms and principles of justice is still the old definition that justice consists in giving every man his due.† In this description equality plays an eminent part. It is an inherent element of the eternal idea of justice. This equality is not an absolute equality but a proportional-geometrique equality in the sense of the Roman *jus suum cuique tribuere*. It implies an equilibrium of rights and duties. It does not mean that men should be treated in an abstract way, but, on the contrary, that in every case justice should be done to the special circumstances of the concrete-individual case. This is also the essence of Aristotle's doctrine according to which everyone receives what is justly due to him according to his deserts. The treatment differs in the different cases because the factors of which account has to be taken vary in each instance. A king, a judge, a teacher acts justly if by equality he means objective individualization, if he deals with each case on its individual merits or, in legal language, distributes proportionally rights and obligations.

It is true that this description of justice is formal and unsatisfactory in so far as it does not indicate what is just and unjust, i.e. "every man's due" in a particular case. The views on what is due to every man vary greatly. The concrete ideals of justice are obviously different in the various epochs of history and determined by ever changing factors and circumstances. Justice may have a universal formal structure but seems to evade a universal fixation of its content.

* The substance of this article was the subject of a lecture delivered at a Conference on "Natural Law" at St. Deiniol's Library, Hawarden.

† For the following, see also O. C. Quick, *Christianity and Justice*, 1940, pp. 4, 7; Leibholz, *Die Gleichheit vor dem Gesetz*, 1925, pp. 57 *et seq.*, with further references; H. Nef, *Gleichheit und Gerechtigkeit*, Zürich, 1941.

Indeed, if the attempt is made to describe more in detail the material meaning of justice, it is necessary to found justice on another basis. Justice is not an independent value. It is not a principle which can stand by itself. Plato and Kant have already made that quite clear. In its essential nature justice is based on reason and morality. Justice is, at bottom, a moral principle and founded on the moral axiom that we must do good and avoid evil.

This foundation of justice on reason and morality, however, is only possible so long as there are universal standards which give us an unequivocal answer to the question what is reasonable, good or evil. It was believed in the seventeenth and eighteenth centuries, for example, that there was such an answer. At that time the principles of the secular natural law met with general acceptance and the belief in the unity of the human species and the human reason which was so characteristic of Humanism, Rationalism and Enlightenment was still a living force. Even in the nineteenth century it was thought possible to base justice on reason and morality and thus to gain certain principles of seemingly all-embracing validity.

But today, when modern society is in danger of breaking up, belief in a spiritual unity of the world or even of Europe has been sadly shaken. The shattering of this belief can be traced back to the liberal era. Those who have experienced the collapse of liberal democracy in Central or Western Europe know that in all these democracies fundamental political, moral, and religious values were already in process of disintegration. Belief in absolute values, the existence of which liberal democracy presupposes, was increasingly undermined in these countries by relativism, scepticism, and subjectivism. The collapse of the German liberal constitution of 1919, for instance, was not least due to the fact that the whole system was founded on a relativist and subjective conception of life and freedom. It completely lacked a religious basis which, at least in a secularized form, still underlies Western democracy.

This disintegration of liberal democracy on the Continent helps us to understand why today there no longer exists a common basis of argument between a man bred in the Western tradition and, for example, a Communist or National Socialist. They no longer agree upon what is reasonable, good, and just in the world of today. The principle that that may be considered "reasonable" which appears so to competent persons no longer holds good. For there is no longer agreement on the question as to who is competent. Nor is the further argument that custom is the best evidence of reasonable consent any longer convincing.

We know today that constant and deliberate usage is no criterion of any validity. This disagreement about the reasonable and moral foundation and the very nature of society goes so deep that what is called justice in the modern totalitarian State is fundamentally different in substance and character from justice as understood in the West. It is only those who adhere to the Western tradition and derive their faith from religion, directly or indirectly, who acknowledge a universally binding reason, morality, and justice. To the adherents of a totalitarian State reason and morality, and consequently justice, are merely instruments of their political creed.

Thus history shows us that right and wrong have no longer one meaning for mankind and that it is no longer possible to base the principle of justice on morality or on any kind of moral philosophy. If justice is to have a really stable foundation it has to go back, as in former times, to its true origin and seek again its basis outside morality in the religious sphere. This is why the Christian must again find the basis of justice in his religion. This means that justice must be based on love. It is the special merit of O. C. Quick's impressive study on *Christianity and Justice** and of R. Niebuhr's fundamental work on *The Nature and Destiny of Man*† to have shown persuasively that God's love is the ultimate ground of all justice and the final form of all righteousness, and that, fundamentally, justice can only be justified and fulfilled if it proceeds from love which is the creative principle of all justice on earth.‡ As has been said in *Malvern*: "The Christian doctrine of man . . . is the only sure foundation of . . . justice."

This foundation of justice on Christian love has a very important consequence. It is true that the divine justice which the Gospel proclaims to man does not cease to be individual and concrete. Christianity has no place for the mechanical conception of life for which God's law in society is an abstract and impersonal equality. On the contrary, it is essential also to Christian justice that it should be adapted in a special way to each particular case.

*Cf. Chap III, p. 48 *et seq.*, 62 *et seq.* See also the Bishop of Chichester, *Christianity and World Order*, 1940, p. 63.

† Vol. I (1941), *esp.* pp. 302, 311 *et seq.*

‡ That modern man's antithetical relation to nature needs also a revolutionary change has been stressed by Ph. Mairet in the *New English Weekly* (e.g. vol. XVIII, No. 11 (1941), p. 124). This question is closely connected with the predicament of modern society which cannot be set right without relating the whole of inter-human relations to a new scheme of spiritual values. Especially it is impossible to solve the present crisis by a thinking in purely social-economic terms: see in this connexion the important statements by Dr. J. H. Oldham in the *Christian News-Letter*.

But there is at the same time a fundamental change. This is because Christianity took over from classical civilization, especially from the Stoic doctrine and the Roman jurists, certain elements which were fused with the law we gain from Christianity itself. These ideas have deprived the traditional conception of justice of its formal character. For Christian justice can never lose hold of the fundamental Christian principle that all men are made in the image of God and that every human soul is of infinite value and absolute worth. This principle of the equality of all men in the sight of God explains why justice based on love regards each individual equally as an end in himself. Justice as presented to us by Christianity implies the truth that man is man. In so far it substitutes for the proportional equality of the classical definition of formal justice an absolute and general equality. Christian Justice (as well as natural law which has not lost contact with its original Christian basis) respects the personality without regard of persons.*

Our conclusion, therefore, is: Justice based on Christianity demands a differentiating treatment of men in the sense of a proportional equality which gives every man his due. But it treats at the same time all human beings alike as persons on an absolutely equal footing. In so far it subjects man to a universal law which ignores individual differences.

II

The Christian idea of justice makes it possible to give a more definite content to justice by developing those universal principles to which the Christian is committed by his faith and which are usually called the principles of Natural Law.† I shall not try here to unfold the meaning of the law of Christianity and to set out the concrete principles which as a given reality must be the foundation of a true order in society. For the purpose of this article I content myself with the statement that, from the Christian view of man, there exist some fundamental principles and rights which make man a person who transcends the State and which

* It is this concept of equality which is the sworn "enemy" of National Socialism. (So *Goering Reden und Aufsätze*, 1938, p. 144.)

† For the various grounds of the renewed interest which Christians take again today in Natural Law, see the valuable remarks on this subject by A. R. Vidler, *Inquiries Concerning Natural Law in Theology*, vol. XLIV (1942), No. 260, p. 63 et seq. On this new belief in Natural Law cf. also A. Cobban, *Crisis of Civilization*, 1941, pp. 86, 134.

link the human personality with God in a supernatural way.* They are derived from the fact that according to God's will man is bound by the rules of the Old and New Testaments and participates by nature and reason in the eternal law which is the foundation of Natural Law.† These principles form a part of the law which God Himself has given to mankind for its preservation and are immediately evident to all who are able to make use of true reason.

An understanding of these principles is possible, although we do not deny in the least that the various schools of Natural Law (Christian and secular) have interpreted its basic conceptions in quite a different way.‡ But what we claim is that after Christianity had made its historical appearance there is a common element behind most of these various interpretations and that this common element—whatever name may be given to it—is Christian in its origin, even if the secularists argue against the supernatural and the revealed.

Further, we realize that the Catholic principles of Natural Law to which the Papacy has frequently called our attention do not agree with those of Protestantism, and that a deep gulf exists within Protestantism itself between the two opposite systems of Natural Law which have been developed by Lutheranism and Calvinism.§ We also apprehend clearly and vividly that it is hardly possible to maintain a sharp differentiation between an absolute and relative Natural Law in the face of the actual realities of life. We also know that Natural Law has its implica-

* We have not to deal here with the question which are the inalienable rights of human nature. One may limit the fundamental rights of the human person to man's right to live, to personal freedom and the pursuit of moral fulfilment, or may add to the basic rights of freedom, for instance, also the right to a decent livelihood and justly acquired material goods, seeing that without this right the other rights of human persons, especially that of personal freedom, cannot be exercised. On this question, J. Maritain, "Natural Law and Human Rights", in the DUBLIN REVIEW, vol. 210 (1942), pp. 116, 120 *et seq.* From the standpoint of Political Theory, H. J. Laski, *A Grammar of Politics*, 1925, pp. 39 *et seq.* From the standpoint of Jurisprudence, Sir Paul Vinogradoff in *Yale Law Journal* XXXIV (1924), p. 64.

† In detail H. Davies, *Moral and Pastoral Theology*, vol. I (1938) pp. 124 *et seq.* Section 3.

‡ A good survey of the various schools of Natural Law is given by G. Gurvitch in *Encyclopaedia of the Social Sciences*, vol. XI (1934), Art. Natural Law.

§ E. Troeltsch, *The Social Teaching of the Christian Churches*, 1931, and Christopher Dawson, "The Religious Origins of European Disunity", in the DUBLIN REVIEW, vol. 207 (1940), pp. 142 *et seq.*, 154 *et seq.* have shown in a masterly way that the Calvinist ideal of Natural Law is much more akin to that of Catholic Philosophy than to Luther's system of Natural Law, which widely sanctions the political *fait accompli*. Sometimes the pessimism of Lutheranism goes so far as completely to reject the existence of all "Natural Law" norms. More in detail on the modern attitude toward Natural Law, V. A. Demant, *Grace and Natural Law in Christian Polity*, 1936, pp. 95-105.

tions not only for the individual but also for social groups like the family, occupational association, nation and international community, and that there is not only an individualistic Natural Law but also a social Natural Law (Leibnitz, Wolff, the Physiocrats).

Moreover, we admit that Natural Law may be misused and our judgment be corrupted in some way. There is no infallible way of interpreting the exact content of what is essential and invariable in life. We may claim a permanent validity for principles which actually are only the expression of the ever-changing conditions in the life of the community. We may couch these basic principles in such general terms that they are hardly of any practical use so long as they are not made more applicable to the particular situation by a more detailed specification. But all this does not prove that the law of Nature is only a cloak for arbitrary theories and personal inclinations. These possible mistakes provide no sound argument against the fundamental thesis that somewhere in the life of the community there are limits which may only be transgressed if at the same time one repudiates those permanent principles which have their roots, directly or indirectly (as was the case, for example, in the secular natural law of a Grotius, Pufendorf and Thomasius), in natural justice based on Christianity.

The relationship itself between Christian justice and the Christian, fundamental principles of Natural Law is not difficult to define. For justice is a conception differing much less from Natural Law than is frequently assumed. At bottom, the principles of Natural Law which every kind of human order must respect are inherent elements of justice and ultimately of Christianity. They are simply an individualizing and putting into practice of divine justice, nothing but the expression in more concrete terms of the universal idea and principle of justice as revealed by God. This is why Natural Law cannot be separated from its association with the Christian school of thought and why the universal principles of the Law of Nature depend on the eternal and sacred law of Christianity itself. As Gladstone said in 1849 before the House of Commons: "The answer to the question 'What is the Law of Nature?' depended on the answer to the question, 'What was the law of Christianity?'"*.

* See the full statement in *Hansard*, vol. CVI, cols. 631, 632 (20 June, 1849) and in A. R. Vidler, op. cit. 67, who has again called our attention to it. On the special distinction between Natural Law stating the requirements of man as creature and the Catholic "theological virtues" defined as *justitia originalis* see Niebuhr, op. cit. p. 297 *et seq.*

III

From the fact that justice cannot stand by itself, but must be based on morality, and beyond that on religion, we must conclude that wherever politics and religion become identified and the State takes on the character of a Church, Politics and Justice must also be in accord. Thus justice could be identified in earlier times with the political order and authority because it was these which had to fulfil at the same time religious functions for the community. Think of the Old Testament or the old Greek faith in the divine origin of law. In the first stage of Greek history, for example, the kings decided by divine inspiration. In these cases Justice is only a reflection of divine justice as manifested in the political order.

This conclusion is of crucial importance at the present time. For the political creed of modern secular totalitarianism claims to take the place of Christianity and openly assumes a quasi-religious character.* It is the dogma of race, state, and class which claims to possess the spiritual force to mould a new world acceptable to man and to supersede the creative principle of love and the universal Christian principles of Natural Law. Indeed, there can be no doubt that if the religious craving of the masses for a true and living faith could be given satisfaction in this way, all the fundamental values of Western civilization would be perverted and in the end destroyed. Then not only would politics and religion, State and Church become identical but also as a result of the religious sanction given to the political creed politics and justice would be brought into accord.

In fact, the modern totalitarian State acts quite explicitly in this way. From its basic point of view, the "totalitarians" can argue that justice can only exist within the framework of their conception of life (*Weltanschauung*) and that the traditional constitutional checks which in a liberal democracy secure justice and the universal principles of law have lost their meaning and must be removed. They can claim that their State is a just State, a *Rechtsstaat* (Constitutional State), as they say in National Socialist Germany, or a true *Stato giuridico*, as they allege in Fascist Italy. They can say that they do nothing but fill the proportional equality of formal justice with a new quasi-religious content and re-interpret all accepted values and standards in accordance with this new creed. From this point of view the "totalitarians" can argue, as they actually do, that in the modern pagan State everyone gets his due according to the new quasi-religious principle

*That all our political problems are theological in character has been shown by N. Micklem in his recent *The Theology of Politics*, 1941.

of Race, State, or Class, and that the inhuman, unjust, and sinful treatment, for instance, of the Jews, Poles, Greeks, and other nations is just, because these races and nations are *essentially* different from the "superior" races and nations and must, therefore, be treated differently and, if "necessary", even exterminated. In a similar way, a radical Marxist could show that all capitalists are among themselves equal and *essentially* different from other classes of society and that, therefore, it would be only just if they should be treated in quite a special and differential way. The adherents of modern secular totalitarianism even go so far as to claim that the new differential treatment of the various races, nations, and classes is the expression of a new kind of justice, equality and Natural Law. All this is not surprising if we keep in mind that in all these States justice is only a part of politics, that the general principles of law are simply the expression of the political will of the sovereign and that law itself is only a technical means for the attainment of specific political means. This kind of law must by its nature claim to be just and generally binding, especially also for the judiciary that, in practice, is only a subordinate branch and political instrument of the government.*

The important conclusion to which we are brought is that we can only denounce the tyrannic and arbitrary administration of justice in subordination to politics if we base justice and Natural Law on Christianity and "the inviolable and sacred standards of the law of God", as Pope Pius XII once said. Only then are we in a position to show convincingly that arbitrary decisionism of secular totalitarianism can produce neither justice nor true law, or, to illustrate this by an example, that the extermination of a race, nation, or class is sin against God and altogether incompatible with the universal and fundamental principles of justice and Natural Law. Only thus can we avoid the danger of filling the idea of justice and Natural Law with a variable content in accordance with a particular creed or dogma invented by men and evade the hazardous implications such an attempt must have. Only thus can we finally disprove the fundamental thesis of Nazism that "right is what serves the German people and wrong what harms them", or that of class-Communism that "right is what helps the social revolution and wrong what hinders it".

* This applies especially to the Criminal Courts, the judges of which are primarily politicians and administrative officials. A fundamental change in the structure of the organization of justice must, therefore, be expected. It is predicted even in the totalitarian States themselves. More details in J. Walter Jones, *The Nazi Conception of Law*, 1939 (Oxford Pamphlets, No. 21); Norman H. Baynes, *The Speeches of A. Hitler*, 1942, vol. I, pp. 513-526, with further valuable quotations and references; F. Neumann, *Behemoth*, 1942, p. 365 *et. seq.*

From this attitude of mind, it is not surprising for a Christian to see that the new kind of collective religion has only led to physical and spiritual tyranny and to the destruction of true justice and all those basic principles which have a universal and eternal validity. From the time onward, when Christianity made its appearance in history, the political order stands under the judgment of God and this supreme event cannot be undone. It left a final and irrevocable effect also in the political sphere. Since then the political order can no longer claim as in ancient times to be by its very nature in accord with religion and ultimately with justice and the universal principles of law. Since then no political order can claim of itself to be a just order and implicitly to comply with the demands of divine justice. It can no longer evade criticism from a moral or religious point of view.

IV

Since that revolutionary event, the possibility of a conflict between Politics on the one hand, and Justice and Natural Law on the other hand, is always given. Since then the fundamental values of Politics and Justice and the functions they have to fulfil in the life of society are *essentially* different. It is not the place here to deal in greater detail with this indissoluble antinomy nor to make the attempt to analyse the specific nature of the Political.* But in the connexion before us, we must keep in mind the following facts:

First, we cannot speak of Politics without at the same time in some way having the State in mind. Politics always presuppose a relation to the State. Without such a connexion we cannot speak of Politics. Accordingly, we cannot isolate the State from Politics. Should we try to do so we can be sure that this would result in the disintegration of the State.

Secondly, within the political activities of the State we can make the distinction between major and minor political issues. We can speak of "highly political" affairs and a "high" policy as distinguished from those day-to-day legislative and executive actions which are not so closely related to the State. The meaning of this distinction will become clearer if we bear in mind that in a specific sense only those acts are political which are connected in one way or another with the substance of the State and the highest and supreme aims of the community. From this point of view, only those acts are political which in some way or other

* I have tried to do so in another connexion. Cf. my *Christianity, Politics and Power*, 1942, p. 7 *et seq.*

deal with the essential interests of the State, especially its right to its own existence and maintenance.

Thirdly, this relation of the Political to the existence of the State explains why power plays such an eminent part in politics. For without power the State cannot "exist", not even the ethical State, and perform its functions.

Fourthly, this relation of the Political also explains why politics are always rooted in a dynamic and irrational sphere and why it is impossible to foresee what the maintenance of the existence of a community requires. This specific nature of the Political can be most clearly seen in those acts which embody the Political in its purest form. I think of the acts of the Government which are incalculable and always made to suit a particular situation which arises from concrete-definite circumstances. This is, in passing, why the genuine politician wants to be as little bound as possible and wishes always to be in a position to alter the decision made should the political situation change.

We have seen that, like the political act, also the just act in its general structure is concrete and individual as justice is proportional, and also the Christian idea of justice implies that man receives his due according to his deserts. But the antagonism between politics and justice and the general principles of law becomes quite clear if we keep in mind that the political act is decisively determined by considerations of expediency which are related to the dynamic and "existential" sphere of the State and that, in contrast to this, justice and Natural Law are in their basic tendency static and rational. It is true the general principles of law contain also a dynamic element to be able truly to fulfil their functions and to respond to the demands life makes upon them. They enable authority to make the readjustments which are necessary under the pressure of life. But, on the whole, in their fundamental structure they are intended to be permanent and to make life as fixed and settled as possible. They have not in the same way as the Political to conform to the ever-changing requirements of the day.

V

On the other hand, in spite of these antagonistic tendencies, politics and justice and its fundamental principles are related to the same community. Their functions are in some way connected with each other. They are interwoven. It is the human law which by regulating the relations between man and man in society forms the bridge between Politics and Justice.

As to justice, it is obviously impossible to execute it in practice in its concrete-individual sense. The constantly changing conditions of life and the incalculable possibilities of conflict exclude a code of laws which can take into account all the possible eventualities of each particular case as justice in the sense of proportional equality would require. If justice is to fulfil her own function, i.e. to order the life of human society justly, she needs fixed rules which, deviating from the special circumstances of the particular case, provide a general solution for a vast number of complex cases. In order to assure a firm and stable order, justice must renounce her concrete individual character and express herself in general rules which, promulgated in advance, apply alike to all and are of a certain temporary stability. In other words, human law must fall short of the perfection of justice. Only in this way is it possible to make the law and the actions of man calculable and to meet the exigencies of the general security. Thus the relative equality of justice takes on a more formal and outward equality in human law.

This formalization and generalization of the idea of justice is to be seen in all forms of human law. There is no difference between statutory law, customary law, and common law. It is true that common law is, in contrast to the other forms of positive law, a case law. But this is of no consequence in the present connexion. For beyond doubt the duty of judicial loyalty also applies to the common law. Especially the English doctrine of law lays stress upon the urgent need of certainty in the law. The judicial precedent in English law speaks with authority. It is a source of law and must be applied in the same way as a legal principle.*

Further, the impairment of justice as the natural result of a more general human law and abstract equality is shown in every branch of law. It is to be seen in the province of civil law and property law no less than in the province of penal and public law. Cases of murder, larceny, fraud, for example, are, in principle, punished each for themselves in quite the same way, whether the culprit be a rich man or a pauper. Security and order allow of no differentiation. But a truly just verdict would consider all the particular circumstances of the case and in the seemingly like cases probably come to different results.

The Greeks, for instance, proceeded in this way. For them

* On the English doctrine of precedent see, among others, Sir John Salmond *Jurisprudence*, 7th edition, p. 187; Holland, *Jurisprudence*, 13th edition, n. 7 at p. 68; C. K. Allen, *Law in the Making*, 3rd edition, 1939, p. 222 *et seq.* The modern American theory of precedent is much more liberal than the English, as A. L. Goodhart has shown in his brilliant study "Case Law in England and America" in *Essays in Jurisprudence and the Common Law*, 1931, p. 58 *et seq.*

the realization of individual justice and the attainment of a perfect decision was more important than the maintenance of strict law, order, and security. They were, therefore, prepared to deviate from general rules in a given case in a much more generous way than the Romans were. This is why in Greece no lasting system of law could develop which could form a basis for subsequent ages to work upon and why we are indebted to the Greeks much more for their general ideas on right and wrong than for that which constituted the specific strength and greatness of the Roman Law.*

The inadequacy of a necessary schematic application of law may even lead to unbearable results. The history of all nations in all times has many instances of clearly unjust but legal verdicts. In these cases a constitutional State has only the choice between the following alternatives: either the existing law must for the sake of justice be overhauled and the legal precepts repealed or readapted to the new situation, or the obviously unjust verdict to which the application of the general law has led must be rectified by an act of mercy. A death sentence, for instance, may by an act of mercy be commuted to a lesser punishment or even to an acquittal because the harshness of the general law does not pay attention to the special circumstances of the case.

In such a case the act of mercy has the function of securing justice and right and of rectifying unjust positive law. No true system of law is conceivable without the existence of an authority (a King, President, or Court) which in a particular case is called upon to execute justice in place of formal law. The institution of mercy cannot be done away with by trying to incorporate it in a system of law. Mercy is as little capable of being rationalized as the classical idea of justice of which mercy is an outflow. From a Christian point of view it follows that mercy is permeated by love in the same way as is Christian justice and is "an attribute to God Himself" as Portia in *The Merchant of Venice* says. Definite rules and limits, therefore, can be drawn up for the exercise of the function of mercy only in so far as it is possible to define more clearly the material content of justice.

The fact, however, that, for the sake of security and order, justice must express herself in society in general and abstract laws and thus to some extent sacrifice her true nature, does not dissolve the natural relationship between Justice and Law. There is no doubt: Positive law flows from justice and reason, i.e. ultimately from morality and religion. It is justice which has

* More in detail Sir Henry Sumner Maine, *Ancient Law*, with Introduction by Sir Frederick Pollock, New edition, 1936, p. 86 *et seq.*

to be connected with and embodied in the laws and customs of society. Only by this means human laws gain the power of binding in conscience. If, therefore, it is necessary to deviate more or less from the individualizing treatment of the particular case in favour of a more general equality, that does not mean that the abstract law has to cease to be an approximation to justice. Equality in positive law must not be understood in a purely mechanical and quantitative sense. On the contrary, the formal equality of positive law must stand in an inner relation to the concrete-individual equality of justice. If, for example, justice implies that that which is unequal by nature must be dealt with unequally, then these inequalities must also be dealt with differently by law. Therefore, the American Supreme Court and the Swiss "Bundesgericht" (Court Federale) which are constitutionally appointed to see that acts of legislation do not collide with the principle of equality are right in stressing the point that a differential legal treatment is permissible if different actual circumstances give ground for this different treatment. The point is that the circumstances of the case which call for a legal differentiation in treatment are *essential* and stand in a substantial connexion with the different legal treatment of the subject. Summing up, we may say: Justice demands that Law treats essentially like in a like manner and essentially unlike differently.

From a Christian point of view, it follows from this general relationship between justice and law that those principles of law which are an inherent element of divine justice must also find their expression in the various forms of positive law, in the common law no less than in the other forms of human law whether it be founded on statute or on convention. It is not enough that justice in the pagan sense of the classical doctrine finds its formal expression in human law. Nay, human law must also embody the constant material elements of the universal law. It must respect the eternal Christian principles of Natural Law. All human regulations have only the function to determine more in detail according to particular social and historical circumstances the fundamental dictates of what that sacred law leaves, of necessity, undetermined. They must render the permanent principles of that ideal Law more effective and perfect in the field of human contingencies, must prolong and extend it. If human law (common, statutory, or customary law) obviously transgresses these limits, then, from a Christian point of view, we have to deal with an arbitrary action. Arbitrariness, however, even though it be clothed in the outer form of law, is not truly law as it stands in no inner connexion with the idea of justice and the divinely dictated law

VI

We have said that human law forms the bridge between Justice and Politics. We have just seen that, for the sake of security and order, justice is prepared to renounce to a certain extent her concrete-individual character and to content herself with a rather abstract and general law. Now we must say that, from the political point of view, also the State is vitally interested in the existence of a legal system because only in this way can the life of a community be finally stabilized and a certain ordering of human action be secured. Without law the State runs the risk of finding itself in a permanent condition of confusion and disorder. Only by the State subordinating itself in its political sphere at the same time to the rule of law does it rise out of the sphere of mere politics and enter the sphere of the spirit. Only by this means can legality be brought into line with legitimacy. Only by this means does a State become a Constitutional State, a *Rechtsstaat*, or, what is the same, a just State.

But notwithstanding the tendency of Politics and Justice to interpenetrate each other for the sake of order and security, the latent tension between Politics and Justice is clearly noticeable under the surface, even in a constitutional State and a liberal democracy. In any case it is a fallacy to think that Politics and Justice cannot be thought of without this need of mutual interpenetration and that the order aimed at by Politics must be a just one. The German Puchta once said that power does not realize law "necessary but fortuitous", and Hegel remarked that the State as reality "is not the conditional presupposition of justice in itself". There are also systems which are quite able to guarantee security and order but which are based on pure existence and consequently on mere force and power. The distinction between a system based on justice and the unwritten principles of Natural Law and a political tyranny founded on pure force and power is well known to the political literature of ancient times and the Middle Ages.* It finds its expression in different forms in the various systems of Natural Law. Today we must again become conscious of this fundamental distinction with all its practical implications. We must see that we cannot conclude from the fact that a political act is able to effect order and security within a community that it must also fulfil a function of law. It is not

* The medieval king and ruler had no arbitrary or absolute power; on the contrary, he was bound by the law which was above him and upon which his whole power and existence was founded. In greater detail A. I. Carlyle, "The History and Significance of Natural Law" in the DUBLIN REVIEW, vol. 210 (1942), p. 124 *et seq.*; and F. Kern, *Kingship and Law in the Middle Ages* (1939), pp. 69-79. Even the Pope and Emperor were subject to the Law of Nature.

possible to draw a conclusion in an axiomatic way from the political value of a regulation to its value as an act of law. There is no identity between State and Law, between the political order based on power and the legal system based on justice, however closely Politics and Justice may be bound together by the medium of the constitutional machinery of some political systems. Law is only law if it complies, at least to some extent, with the demands and standards of justice and the universal principles of law in the special historical and social circumstances to which it has to be referred.

VII

It is true that the opposite thesis is widely held in moral Philosophy and secular Jurisprudence today. On the whole, the theory of a law of Nature is regarded as more or less antiquated. From the fact that human law always differs with different historical periods and different social circumstances, positivist theory of law, whatever its colour, concludes that law is variable by its very nature and has no universal structure. According to this theory, the omnipotent will of the State finally gives authority to what claims to be binding law, and the jurist has to content himself with the technical analysis of the law established by the State and applied by the Courts. This conception of law is the result of the historical and political development which has split Europe into independent national units and has enabled the national State to take over the function of the society of the Middle Ages with their fundamental conception of a permanent natural order.

This theory has found its expression not only in the modern totalitarian State (as a result of organic historicism and the idolization of Race, Class, and State) but also in liberal Democracies. The thesis has been widely held here that any political act must be recognized as law if it has a general and abstract form. This means that also in liberal democracy the idea of law has become purely formal and independent of its material content.

In this country the general trend of this development has not found as distinct an expression as on the continent. Certainly, at least since the nineteenth century, it is a doctrine established beyond doubt, also in this country, that Parliament is the absolute and the highest authority and that parliamentary power is unlimited in scope. The Courts cannot claim any power to control Statute Law, as, for instance, is the case in the United States. But this constitutional doctrine of the absolute authority of

Parliament has not prevented the establishment of certain limits which must be respected by the parliamentary bodies.*

Further, as Sir Frederick Pollock has pointed out,† there is a link between the principles of the Law of Nature and those of Common Law. The Common Lawyer frequently referred to reason and reasonableness in cases in which the medieval lawyer (canonist or civilian) spoke of the Law of Nature. Even Blackstone refers to "natural reason and the just construction of the law".‡ Thus, under the heading of justice, reason, and equity, Natural Law played an important part in this country.§ Although it is true that the English Judge has not to make law, and is bound by Statute and precedents, it is no less true that he is appointed to interpret the legal acts of Parliament according to these established principles of Common Law. Moreover, there are special cases to which the judge has even today to apply these general principles of Natural Justice and Law.|| On the whole, modern legal positivism has not practically done much harm because the constitutional machinery in this country and its sound economic and sociological basis automatically worked in the direction of a self-limitation of the State and the parliamentary bodies. This is why it is hardly possible to trace a single example in which the Courts rejected the plain provisions of a statute, on the ground that it was contrary to any religious or ethical principle.

But all this does not prevent us from stating that positive Jurisprudence in so far as it identifies State and law leads in the end to a debasement of the fundamental principles of Natural Law, to a profanation of the idea of justice, and to a thorough watering down of the conception of law.¶ It is noteworthy, in this connexion, that at the time when the stirring events of the present crisis began to cast their shadow before them and to shake the foundations of society modern jurisprudence has again become aware of the dangerous implications of the "fetishism of positive law". In the same way as in the seventeenth and eighteenth centuries in France and England various schools of

* On these limits C. K. Allen, *op. cit.* p. 384 *et seq.*

† "History of the Law of Nature" in *Essays in the Law*, 1922, pp. 57 *et seq.*, 69.

‡ *Commentaries on the Law of England*, 1770, vol. III, p. 161.

§ Pollock, *op. cit.*, p. 67 *et seq.*

|| For instance, when the Judge has to lay down a rule for the first time and authoritative enactments and former precedents do not exist. In all these cases of "first impression" the Judge has to decide not "on precedent but on principle", i.e. on his enlightenment of what justice requires and to apply principles which must be in compliance with justice and law. In greater detail on these questions, c.g. C. K. Allen, *op. cit.*, pp. 254, 257, 262 *et seq.*, 378. Sir Frederick Pollock, *op. cit.* 70.

¶ This becomes impressively clear at the hand of the positivist theory of "Pure Law", by Hans Kelsen, and his former "Viennese School".

juristic thought re-interpreted Natural Law, modern legal thought in the Anglo-Saxon countries and on the Continent, especially in Germany and France, has again turned to the task of opposing Natural Law to positive law and to salvage those essential principles and doctrines of law which are eternal.*

VIII

The last question we have to face is the following: What about a position in which in the outer form of law wrong has been effected and the fundamental principles of law have been infringed?

In such cases a distinction must be made. Where there are differences of opinion as to the question whether the basic principles of Christian Natural Justice have been infringed by positive law—in other words, in all genuine questions of doubt, when it is difficult to discriminate what is just and what is unjust, one must, for the sake of security and order, comply with the act which claims to be law, even if it possibly conflicts with the permanent principles of Natural Law. For the same reason, “propter vitandum scandalum vel turbationem”, Thomas of Aquinas and the scholastic doctrine of Natural Law demanded obedience to the “leges injustae” if it was not certain that they were in conflict with the “bonum humanum”. In these cases we have to give the enactments and decrees the benefit of doubt, i.e. that interpretation which secures to them the highest possible degree of substantial justice.

On the other hand, in all extreme cases if there is no possibility of justifying the rule laid down and if, from the Christian view of common good, there is no serious doubt as to the “crying injustice” (as the scholastic doctrine of Natural Law would say) of the human “law”, Justice takes precedence over security and the existing authority. Then Natural Law overrules human law and “legi humanae non est parendum”. A law which expressly

* I admit that some of the attempts to revive Natural Law were quite inadequate because, in contrast to the classical conception of Natural Law as understood in former ages, relativistic fashion of thought was clothed in the form of Natural Law theory. But there have also been important signs of a new development for a genuine doctrine of Natural Law in connexion with the conception of a supreme and universal law, prevailing over all customs and express ordinances. In France these teachings have chiefly been advocated by Roman Catholic writers: comp., for instance, the writings by M. Hauriou (especially “La théorie et de la fondation” in *Cahiers de la Nouvelle journée*, 1925, number 4); F. Geny (especially *Méthode d'interprétation et sources du droit positif*, 2 vols. 2nd edition); L. Le Fur (especially in *Recueil des Cours*, vol. XVIII, 1927 pp. 259–442); G. Renard (especially *La Théorie de l'Institution*, 1930). On the return to Natural Law with special regard to the United States, C. G. Haines, *The Revival of Natural Law Concepts*, 1930, part II, p. 73 et seq. On the main doctrines of Natural Law in Germany until 1930 cf. my survey in *Archives de Philosophie de Droit et de la Sociologie juridique*, 1930, pp. 207–224.

or implicitly infringes in a manifest manner upon the ordinances of God and the existence of the eternal principles of Natural Law is—as Calvin would say—a bad law. In truth, it is no law at all and has no binding force whatsoever. It is, as we have seen, an act of violence, i.e. an arbitrary act which is clearly contrary to the universal principles of Natural Justice and has obviously no inner relationship whatever to the case to be ruled.

From this it follows that individuals as well as authorities, organizations, and institutions who are called upon by their profession or vocation to administer law are in duty bound not only to protest against such arbitrary enactments of existing political agencies but also to make a stand against them and to use all means in their power to prevent such political acts of violence being perpetrated and thus to obey higher and more valid rules. Natural Law has been interpreted in this revolutionary way not only by Locke and Rousseau but also by secularists and theologians of the Middle Ages and, above all, after the Reformation by the Monarchomachs. For instance, in the Middle Ages if the monarch failed to respect the legal limitations imposed upon him and, therefore, ceased to be a just king, every citizen, and even the whole community, was entitled to resist him and his ordinances. On that point, the different secular and ecclesiastical theories of resistance were practically in agreement. Today the lawful right to passive and active resistance to unjust and unlawful exercise of political force and power has again become of immediate actual significance. A vast number of examples could be easily given to show that the modern totalitarian State has frequently transgressed its inherent rights in not acknowledging the eternal principles of reasoned Natural Law and the immutable dictates of Christian Justice and morality.

Under these circumstances it would be the duty of the Courts to disregard the ordinances which manifestly are contrary to the universal principles of the Christian Natural Law and wrongly claim to have a legal character.* A Judge would only fulfil his duties if he refused obedience to such arbitrary acts, even if the authority of a totalitarian Parliament formally stood behind them. For no abuse of parliamentary rights, especially of the constitutional doctrine of parliamentary sovereignty, could justify what by its very nature would be unjust and unmoral and would collide with the eternal Christian principles. The Law faculties of the universities would be in duty bound to raise their voices against such arbitrary acts. The individual would be justified in dis-

* It is worth mentioning that within the limits mentioned Sir Frederick Pollock admits this right of the Courts: Pollock, op. cit., 72; and the *Pollock-Holmes Letters*, 1942, vol. 2, p. 217.

obeying the commands of the sovereign power and in defending, by all means in his power, the principles of Natural Law against obviously unjust exercise of force and power.* And, last, not least, it would be the duty of the Church to defend the lasting foundations of Justice and Law.

Apart from isolated courageous actions taken by universities, Courts, and individuals, only the Church today feels herself called upon to defend the foundations of justice and law. In actual fact, in the occupied countries as in Germany the fighting Church is today the only guardian of justice and law. In this capacity she fulfils a divine obligation and natural right. By her valiant stand she makes known to the world that she is conscious of the lasting religious and moral foundations of justice and law and that she realizes that the offender against the fundamental Christian principles of law is at the same time an offender against the will of God. She indicates herewith the direction from which justice and law on the continent must be renewed. She is thus helping to prepare a time in which a renewed Church and regenerated theology will again speak with authority on the fundamentals of justice and law and their nature and function in human affairs.

G. LEIBHOLZ.

PORTRAIT OF JOHN XXII

IN most of what has been written about John XXII's reign the importance of his personality has been overlooked. Beyond the general charge that he was cruel and avaricious and the admission that he was able and energetic, historians have been concerned more with his policy than his person. But to say that he was able and vigorous is to suggest that his policy was very much his own and cannot adequately be assessed unless his character be studied. If that character should show itself neither brutal nor miserly, another explanation of his public policy must be sought. There is no difficulty about finding out what manner of man John XXII was: in the records he has left, and especially in his secret letters, he reveals himself very clearly

* See also the letter of Lord Hugh Cecil to *The Times*, on "Church and State", January 19, 1929: "The obligation to obey the law as nude law is not regarded by anyone: there must be some co-ordination of religion or morality or . . . the like, clothing the law with moral force, if it is to secure the obedience of citizens."

despite the difficulty of distinguishing his individual style from common form.

The first fact that strikes the reader of this secret correspondence is that John frequently repeats himself. He seems particularly fond of liturgical phrases such as "*Deus cujus proprium est miserere et parcere*", and of common mediaeval tags like "*Magistra rerum experientia*", while again and again he gives almost verbally identical lists of the "*dispendia facultatum*" and other evils that are inflicted by war. Dissension he constantly attributes to those who want to fish in troubled waters; in remedy he sends his nuncios "*tanquam angeli pacis*" appealing to the hostile parties in the name of him "*cujus in pace factus est locus*". Such repetition suggests that John XXII was not a very original person and in fact he was extremely conventional. This was not merely due to the conservatism of an old man who was elected pope at seventy-two and died at ninety; who deplored the tepidity of modern devotion and complained that rarely nowadays did one see the virtues of prudence and loyalty. It was the result of a natural liking for regularity and orderliness. It is apparent in small yet significant details: in his insistence that, despite Philip V's pleading, the new archbishop of Sens must personally appear at Avignon for consecration and pallium; in his refusal to send their hats to two new cardinals because this would be contrary to curial custom; in his obvious annoyance because Bertrand de Got's envoys have not observed due forms in petitioning for a provision. It can be seen in the command that only those licensed and approved are to practise medicine at Paris and Toulouse, or in the refusal to allow religious to preach in Saracen territory without their superior's leave. To an inquisitor who has imprisoned a suspect without trial he expresses his concern lest the "*negotium fidei*" should be defiled by any irregularity. It is unbecoming that a secular clerk should be prior of an Augustinian monastery even though the practice has the sanction of custom; unfitting that Philip V should discard the long mantle worn by his predecessors.

Consistent with this love of orderliness is John's displeasure at the presentation of business in a confused or obscure way, his dislike of vagueness about money matters; so neat was his mind and method that he was justifiably angry when carelessly accused by Robert of Naples of being himself obscure. It is not difficult to understand why he had been so famed as law professor at Toulouse, so valued as chancellor by Charles II, so prized as cardinal by Clement V. He was conventional, too, in his outlook. This is well illustrated by his attitude towards

nobility of blood. As Jacme Duesa,* he himself had sprung from rich bourgeois stock: but he believed that nobility conduced to loyalty, courage, even sanctity. It was an indication of right thought and right conduct and might be regarded as a qualification in a candidate for a bishopric.

John's passion for order has been stressed because it explains his attitude to the fourteenth-century world. That world was one of rapid changes, and to the old man whose youth had been spent in the grand days of St. Louis and of papal triumph over the Hohenstaufen it must have seemed to be going to pieces. He had seen papal prestige suffer successively from the failure of Celestine V and the humiliation of Boniface VIII; had seen it yield in the person of Clement V to the new force of nationalism represented by Philip the Fair, after Italian disorder had expelled from Rome the Roman pontiff. In the realm of ideas he witnessed the disintegrating effects of the rising tide of heresy and of extravagant Franciscan mysticism. Astonishing movements were signs of popular unrest. The Pastorelli announced their intention of going to Palestine, yet had no leader, weapons or means of transport—disorderly associations are always harmful, said John; let them wait until the crusade is properly organized under the King of France. Venturino da Bergamo led his vast pilgrimage to desolate Rome, was accused but acquitted of heresy and punished by the Pope for his too free speech in his presence. In this atmosphere the story of the lepers' conspiracy to poison all the wells and seize the French kingdom for themselves was easily believed, and if there is no evidence of their guilt there is documentary proof of their punishment.

The impression of instability must have been deepened by John's own experience. The fierce animosity of the three parties, French, Italian, Gascon, in the consistory at Carpentras; the massacre, fire and pillage which followed the inrush of Clement V's nephews; the dramatic escape of the Italian cardinals while the mob screamed for their blood; interregnum succeeded by forty days' imprisonment in the Dominican house at Lyons; finally, the thrusting of a little old man into the chair of Peter as a temporary compromise. Worse than all this were the plots against his life. When he was bishop of Fréjus William de Arcis and others had marched against him to slay him: only timely warning, enabling the bishop to arm his servants and make prisoners of his would-be murderers, saved his life. Scarcely had he received the tiara when rumour said that four of his cardinals were plotting to kill him in full consistory.

* The "Lingua Occitana" form of his name.

He was more alarmed by the attempt of Hugh Géraud. This bishop, found guilty of extortion, misapplication of funds and incontinence, sentenced to unfrocking and perpetual imprisonment, planned revenge by poison and magic. Waxen images of John and his two favourite cardinals, baptized and labelled, were hidden with poisons inside loaves. The timely penetration of the disguise by papal police led to the slaying and burning of the criminal. This ruthless punishment did not put an end to rumours, at least, of conspiracies; in 1324 John was thanking Charles of Valois for telling him about another. No wonder the Pope was grateful to the Countess of Foix for sending him the little serpentine knife-shaped horn that was said to possess powers as a poison detector—so grateful that he excommunicated anyone who should steal it; no wonder that among the gifts sent him by Philip V he prized especially the drinking-glasses whose transparency made the poisoner's work more difficult.

What has been said of John's outlook and environment gives the clue to his policy. Seeing the neat pattern of thirteenth-century christendom increasingly ruffled he made it his aim to straighten it out. To put the world right meant to revive the old order: that is to say, to renew papal power, restore Europe to union and crush the new disruptive ideologies. In John's view his duty lay in settling doubts, smoothing quarrels, uprooting vices, instilling virtues, correcting excesses, reforming manners. He was quite frank in admitting that Clement V had made mistakes, for example in prohibiting tournaments: it was his place to correct them. His office laid on him the responsibility of maintaining peace among Christians; his eager desire was to see the spirit of unity among all the sons of the holy mother church. He was determined to banish the "pestem heretice pravitatis". All this was, he felt, a hard task for his weak hands; yet the courage of a great man is intensified by opposition and fear is the only real obstacle.

However, more than courage was needed if such a policy were to stand any chance of succeeding. John XXII was also a man of outstanding ability. His most striking quality was his astonishing energy. His contemporaries were impressed by his industry which they gauged by the greatness of his learning. He was skilled in his own department, law; but also he prided himself on having read the Fathers in the original, denouncing the modern habit of getting information secondhand. When pressure of pontifical duties restricted his leisure he got others to read and summarize books for him. As an index of his activity there remain the 64,000 letters which his chancery

produced.* Their subject matter shows the variety and detail of chancery business. Beside laws which are to bind future generations and declarations of faith there is the problem of who ought to crown the king of Dacia. An abbey in the diocese of Venice is to provide subsistence for a poor clerk; a Paris monastery must clothe a clerk who is blind. The curia interests itself in the colour of a canon's cape, the admission of a Cistercian laybrother, a book thief at Tarragona, a fair at Piacenza, an exhumation in England.

The Pope himself frequently alluded to the weight of his cares. He was, he told Philip V in 1317, willing to arrange a Franco-Flemish peace conference at Avignon despite his arduous ties of business. When the Cahors municipal authorities begged his mediation in their dispute with their bishop he told them flatly that he had not time. Sometimes his correspondence—even with his beloved Philip V—would be held up. The wonder is that a man of his great age could possess such energy. Understandably enough, there were frequent rumours of his illness—rumours which John quickly and indignantly denied: his outer man was sound though his inner man was distracted. A rare visitation of sickness in 1322 was however admitted to be due to overwork. Men were astonished by the contrast between the vigour of his spirit and the frailty of his frame as they gazed at his short spare body and pale beardless face.† His thin ascetic look, accentuated when he wore his twin-crowned tiara, befitted one whose private life had been chaste and frugal. Only his large piercing eyes bespoke the energy of his soul.‡ Though his voice like his body was weak he was a fluent speaker (in the “*lingua occitana*” and Latin, for he could not fully understand French); vivacious in manner, ready at repartee with the cleverness for which Cahorsians were famed. He had a sense of humour. This was more than the dry contemporary sarcasm of calling the archbishop of Aix (against whom a mediævally thorough list of vices had been charged, ranging from blasphemy to hunting) “our venerable brother, if indeed he deserves the title of venerable”. It is illustrated by an amusing little incident. John had asked who held a certain deanery, forgetting that he had provided one of the cardinals to it. The latter spoke up for his rights and was libelled by an abbot. In defending the cardinal the pope explained that he

* This is the number published by Mollat from the registers; there were many more unregistered.

† The original head of his sepulchral effigy has been replaced by another but was sketched and published by Giuseppe Garampi in 1759. It has a tiara of two crowns intermediate between Boniface VIII's one and Benedict XII's three.

‡ If the Venaisian coins made by Master Roland de Senis are to be trusted.

could not remember the names of all his provisors on account of the mass of business which distracted him, and added that though he held the place of God on earth he was nevertheless subject like other men to lapse of memory. And he thoroughly enjoyed the embarrassment of the Aragonese envoys whom, despite their caution, he made contradict each other.

The private letters reveal a further important quality in John: his psychological insight. He knows how to adapt himself to the character of the individual. At his great age he could sympathize with Robert of Artois' youthful inconstancy* and appeal to Charles of Valois as an older man to restrain the waywardness of young Charles de la Marche. Queen Clémence's shortcoming was her fickleness. She exasperated the Pope by her quick changes and had to be lessoned—one must have "*soliditas constantie*", John characteristically writes, so that one's actions may have the stability of reason; or else be at the mercy of every breeze. To Philip V he pleaded as excuse for her truck with rebels her volatility of temperament. In the count of Flanders' case it is his old age to which the Pope appeals in favour of peace. Robert of Naples' failings are well known to the ex-counsellor of Charles II. He must be flattered—his great talents make him unique among catholic princes; warned against young or ignorant or lowborn counsellors; reminded that the pleasurable is not necessarily the good. Shrewdness of judgement is apparent in his reminder to Charles IV that it is more important for him to find a wife likely to produce healthy children than one who is strikingly pretty; in his suggestion that Edward II might make himself more affable to his subjects; in his explanation that the excessive favours granted to the archbishop of Toulouse by Clement V were won less by importunity than by deceit. The curt reply to Bertrand de Got's fumbling excuses about Clement V's fortune is harsh but deserved. Bernard Jordan de Insula is told not to get a swelled head now that the king has given him an important post. Equally outspoken is the advice to the Count de Comminges: if he intended to stay long in France it would be becoming to live with his wife as everyone knew he needed an heir.

So careful was John's diplomacy that it is common to find alternative letters drafted: which one would actually be presented would depend on the mood of the recipient. He disliked showing his private correspondence to others and told Philip V not to give letters from him to anyone else but to read them carefully by himself, then to use discretion in what he com-

* "*Compatientes inconsulte tui animi levitati.*"

municated to others. When read a letter should be put away safely or torn up or burned. For matters of moment, he held, personal interviews were far more effective than letters or envoys.

His power of dealing with others was due to his sympathetic understanding of human nature, his naturally kindly disposition. His gift for friendship is nowhere better seen than in his relations with Philip V, dearer to him than other kings, so devoted a son, so loyal a friend, so vigorous a warrior for God and the Church. When Philip died John declared he would pray for his soul as long as he lived. He had a gentle courtesy with queens. To Clémence especially, his "*filia predilecta*", his letters are charmingly affectionate. He defended her interests, urged Mary of Sicily to visit and cheer her, thanked Blanche of Brittany for doing so. Philip's widow Joan was urged to send him more frequent news of herself and her family, to confide in him in her troubles. Mary of Bohemia received kindly greeting on becoming queen of France; nor was poor Blanche forgotten after her divorce from Charles IV. This courtesy was not absent when he refused requests for provisions, and appears in his apology to an archbishop for delaying his messenger's return. His letters of consolation to the sick and bereaved must have delighted their recipients. If his forbearance with the cardinals compromised by Hugh Gérard's plot may have had constitutional motives, clemency alone seems to account for his successful pleading with Charles of Naples to mitigate the punishment of those who had sought his life at Fréjus, as of his effective intervention in England to shield Isabella from deserved punishment. It is pleasing, too, to read his request for Philip V's help for the Roman merchants who had been robbed of their French cloth on a stormy sea off Genoa, his plea for the moderation of the royal sentence against Montaubon, his thought for the nuns whose contemplation would be disturbed if Queen Joan visited her little daughter too frequently, his concern for the destitute old Templar who had had the honour of imprisonment by the Saracens. He was anxious that Christianized Jews should not have their property seized—this would be to put a needless penalty on conversion. So far was he at least from sharing the popular love of Jew-baiting that he bade all the faithful of the Avignon diocese help the Jews against Pastorelli brutality.

John was always grateful to those who worked or suffered for him. Thus he commended to Robert's vicars in Rome those whose loyalty to his cause during Lewis's stay in the city had brought them suffering, and Canon Colonna's courage in

risking torture to protest publicly against John's "deposition" was rewarded with a bishopric. Another member of the Colonna family received a red hat for his services at Négrepont; a Greek priest's work for the conversion of Orthodox Rumanians merited an annual pension of twenty-five florins. He did not spare praise in writing to his servants. In giving orders he had the sense to see that the man on the spot knows best: to the archbishop of Toulouse worried about the Pastorelli he would do no more than make suggestions; on another occasion he simply refused to give a decision. A sympathetic letter to the sick nuncio in Flanders contains advice to rest and not overstrain during convalescence.

In granting favours such as marriage dispensations the Pope was quite explicit as to his policy. What he denied to others he granted to the great in reward for their devotion to the holy see, especially in cases where their devotion and their readiness to serve Christ would thereby be increased. Used in this way apostolic graces became valuable diplomatic weapons. Charles of Valois was persistently refused a dispensation for his daughter's marriage with Robert of Artois because he would not restrain Robert from attacking his mother's territory; no favours would be given the count of Flanders until his intentions were pacific. Even Philip V was threatened with the withholding of a favour if he did not make proper provision for Queen Clémence. The holy see's goodwill was held out as a bait: to induce a friar to aid papal envoys, to make Charles de la Marche loyal to the crown, to encourage the duke of Burgundy to serve the cause of peace.

John XXII made no secret of his special love of France. Again and again he stressed his attachment to his native land—even when writing to the Flemings. He believed that loyalty was an especially French virtue. His statement that he identified the prosperity of the Church with the prosperity of France indicates that his attachment was political as well as sentimental. Similarly strong was his devotion to his birth-place Cahors. He speaks of making a special point of providing it with a fit bishop "*natalis soli affectione suadente*". He founded its university and provided its churches with vestments, its religious with clothing.

Like his attitude to France, his promotion of his own family was inspired by more than mere affection. One whose life had more than once been threatened needed the help of those on whom he could rely. When begging the exemption of his cousin and nephews from service in the Gascon war he explained that as so many of his household had been withdrawn he needed

some on whose loyalty he could more fully count. His nepotism was very thorough. As bishop of Fréjus he is found giving canons' stalls to his nephews Arnold and James de la Vie. He showered temporal benefits on his relatives and all connected with the Duesa; ecclesiastical posts were filled with Quercynois. Outstanding is the gift of 60,000 gold florins to his brother Peter for purchasing the lands which made him Vicomte de Caraman. Though in 1324 he refused Beatrice of Hungary a canonry and prebend for an infant, saying that this was not his custom, he had in 1318 empowered Peter de la Vie, aged about six, to appoint a procurator and receive benefices. If justification be sought for this policy it may be found if anywhere in the devoted service of a Gaucelme de Jean in Flanders or a Bertrand du Pouget in Italy.

Another of John's affections was for the Carthusians. His frequent visits as bishop of Fréjus to the Chartreuse de la Celle-Roubaud were followed by his gift to it when pope of the revenues of the priory of St. Martin-des-Arcs and numerous indulgences. At Cahors the order was presented with the Templars' old building. It is interesting to find the busy bureaucrat thus devoted, perhaps wistfully, to the quiet contemplatives. It is suggestive of another quality in John. To omit to mention his deep spirituality would be to distort his character. That his piety was no blind credulity may be deduced from the cautious wording of papal documents. An indulgence is granted because a magnate "asserts that he has" the crown of thorns; the body of St. Venantius "is said to rest" in his church. There is papal confirmation of the indulgence to those wearing the Carmelite scapular granted by Christ and the blessed Virgin "as it is alleged". As for alchemists, they are charlatans trading on the credulity of the poor. Yet John shared contemporary belief in the power of magic, against which, however, he found prayer an adequate antidote; and he speaks the language of his time when he declares that the collapse of a wall on which Philip V and Joan were leaning was the devil's effort to wreck the crusade.

The constant burden of his spiritual advice is: Cast thy care upon the Lord. Bereavements are an occasion to emphasize the certainty of death as a motive for virtue. Jordan de Insula now that he has narrowly escaped death must turn to God; Joan's tertian fever should give her joy because the Lord's way is to visit those he loves; Philip V is reminded that gratitude for divine benefits ought to make him generous to the Church. An aspect of his love of order is his demand for reverence. Philip V is urged to hear divine service reverently, not to let

Sunday be profaned by the hearing of lawsuits nor even by shaving and haircutting; Charles IV is congratulated because he refuses to allow anyone to speak to him during mass.

For himself, he was not worthy to unloose the latchet of his predecessors' shoes. His election to the papacy was a divine marvel, a very amazing determination: thinking the difficulty and responsibility beyond his strength, shaken with fear and trembling, "vehementer hesitavimus". Hence he felt the need of divine support. No day's business was begun until office and mass had been said. The Cluniac monks were begged to pray for him, to obtain what was denied to his own merits; the prayers of the Dominican chapter-general of 1324 were desired that God might strengthen his weakness. His reaction to the crisis of the schism was to order special prayers at mass after the Paternoster. The apostles were on a stormy sea and Christ must be awakened.

J. R. WINGFIELD DIGBY, S.J.

ANTON WILDGANS

WHEN Wildgans died, on May 3, 1932, he had abundantly proved himself to be the very opposite of the *abgewandter Dichter* of twenty years before. In fact, it seems to have been a wholly unjustifiable modesty which led this outstanding Austrian poet to assert that only the bitter experience of war had changed his attitude from that of the disinterested versifier, giving facile expression to his own or others' sorrow, as occasion might demand.

*Und bin nicht mehr der abgewandte Dichter,
Der eigener und fremder Wehmuth pflag.*

All his poetry springs from reality, out of his own sensitiveness to the changing circumstances of his life and out of his keen sympathy for his fellow-men. He is Austrian through and through; he is also, perhaps because typically Austrian, a universal poet. If he sings the praises of Austria, he does so as one who recognizes the contribution which each nation can give to the beauty and the goodness of the world. And the men and women he describes in his plays and poems are mainly humble persons, moved by the common human emotions which afflict or uplift all, independently of national frontiers or the passing of ages.

The loss of his mother, before he had learned to know her or understand the meaning of her love, was a decisive experience and added to the poignancy of his treatment of a favourite theme—the final isolation of the individual soul, the vain attempt to answer in the affirmative Mörike's question: "Can a man on this earth truly belong to another, as he would?"

*Kann auch ein Mensch des andern auf der Erde
ganz, wie er möchte, sein?*

In the poem *Zwiesprach* he prays, almost despairingly, for one human being with whom he can share his trials and his joys, who will give him the strength which he lacks, or even provide on the human plane the comfort and the response which nature gives to the beasts of the field. Our individual destinies come into the closest contact, he says, and yet each man is alone in the hour of trial.

There is no inconsistency in the fact that the book in which this poem appears is dedicated to a deeply loved and loving wife, Lilly. Even marriage cannot bridge the gulf entirely, as the play *Liebe* very strikingly demonstrates. Martin trying to find comfort in the arms of a prostitute, his wife Anna discovering a strange new pleasure in the company of his friend Vitus, and Vitus, with his unreal outlook on Western love, all serve to emphasize the unique and wondrous intimacy of marriage. But the misunderstandings which give rise to these situations and even the final attempt to appreciate the true meaning of married love prove that the bond of wedlock itself cannot establish absolute unity between two human beings.

His early sorrow led him to see in one human relationship the nearest approach to perfect sympathy and union. For him a mother is "The woman whom no man desires . . ., at whose breast he has no bestial feeling, the woman who without that triumphant smile, still more without that vulgar grimace, of sex, lays her chaste hand on my head". This bitter memory of his loss, the failure of all other human companions, did not prevent him from finding solace and complete unity where alone it can be found.

His poem on the joy of loneliness, written in 1917, shows that he had already seen that only in God can a man find himself and really come to the knowledge of other souls. When he knows the true value of solitude, God speaks to man. As to Moses, "He comes from the bush to meet thee, and all His angels are with Him". Then He reveals the secrets concealed by stony faces and gives man power to express them in imperishable verse.

That power Wildgans undoubtedly possessed. His birth and

education in the midst of poverty gave him an insight into the lives of the poor and the feelings of the masses which few poets possess. He writes of poor city girls "and of their charms which quickly fade, . . . of their hands once soft as down, later torn and swelled, not to be recognized as those of a maid". He writes, too, of other hands "who are never thanked", the servants of the great ones in the old Empire, accustomed to be the last of all, "without hatred denying themselves their own lives". Striking in its simplicity is the story of the conscript: "They called him Hollerbeck or Hollubetz. He was found amongst the dead, number nine or ten in the casualty list. He did not possess much more than his life, and that he gave obediently for his oath and the law. Only God saw him die."

*Er biess Hollerbeck oder Hollubetz.
In der Verlustliste neun oder zehn
Fand man ihn unter den Toten stehn.
Er hatte nicht viel mehr als sein Leben.
Das hat er geborsam gegeben
Für Eid und Gesetz.
Nur Gott hat ihn sterben gesehn.*

The longer poem about the infantry is a vigorous and exultant song of praise of this humblest section of the armed forces:

*We, the swords of the world judgment,
We, the deeds of the great poems,
We, the glory, we the history,
We, the eternal infantry!*

*Wir, die Schwerter der Weltgerichte,
Wir, die Taten der grossen Gedichte,
Wir, die Glorie, wir die Geschichte,
Wir, die ewige Infanterie!*

Not only his acquaintance with poverty and suffering, but also his love of city life, helped him to understand the outlook of the ordinary man. Wildgans was no nature poet, he was a *Grossstadt-mensch*, a lover of the darkness, the dirt, and above all the people of the great city. He is a child of the city, and recalls his happy youth as he wanders through its dusty streets: "No rustling of the woods accompanied my games. . . . *In meine Spiele rauschten freilich keine Wälder.*" He found another kind of music in the city, knew the notes by heart and rejoiced in the repetition of the universal melody which penetrated its dreariness:

*Und selbst der grossen Städte Nüchternheiten
Berückt die allgemeine Melodie.*

It was, of course, the least dreary of all great cities which the poet thus viewed with the eyes of a lover. Vienna was the place of his birth, the object of his fervent love, and the poem from which these lines are taken is one of the noblest utterances of patriotic feeling in modern times.

As its title implies, it is meant as a prayer (*Das grosse Händefalten*), but, being a prayer for Austria at the beginning of a war which both her friends and enemies saw to be decisive for her existence, a slight excess of nationalism might have been expected or a lack of complete submission to divine justice. Nothing of that is here. Wildgans places himself in prayer before God, as the advocate of his people before the universal Judge, on the day when all the nations of the earth are numbered and their destiny confirmed. He will not therefore pray for victory, but asks only for justice :

*Nein, meines Volkes stummes Händefalten
Ist nur gerichtet auf Gerechtigkeit.*

He recalls the use to which Austria has put the bounteous gifts of God, the destruction wrought by war, the perennial influence of music, "which makes the artist, makes the Austrian", and prays that whatever the outcome of war, God in His justice will permit this nation "of dancers and fiddlers" to restore again, however arduously, this land which means to them the world. . . .

*dieses Land . . .
Das ihm der Inbegriff der Erde ist.*

EDWARD QUINN.

SOME RECENT BOOKS

Death and Life. By the Rev. M. C. D'Arcy, S.J. Pp. xi + 180
(Longmans. 5s.)

It might be almost enough to say that Fr. D'Arcy's book is what we should expect. He has chosen his special apologetic field and with what success readers of these lines will be aware. They will certainly recommend the book in the circles to which it is addressed. Some general description and some outstanding examples of method must not be omitted; but the business of the reviewer seems to be chiefly with certain philosophical questions left suspended. For Fr. D'Arcy, although he accepts the trammels of preaching to the unconverted, does not leave Catholic thinkers without reminders of the work of pure philosophy and speculative theology which he

has done in the past and may feel called perhaps to continue in the future. To put it like that is not to dictate to him, nor to complain of him. It is for him to say where at any moment his work must lie. But we may remind ourselves that metaphysical effort has to be maintained and that few maintain it, if only to excuse what might otherwise seem a certain disproportion of treatment in the remarks which follow.

The book falls into two halves: the first an indication of man's true nature, the second a presentation of Catholic theology *de novissimis*. It stands to reason that the first part should suffer in comparison with the second, for Fr. D'Arcy begins by descending into the Cave (the *Daily Express*, in fact), and the atmosphere must be relatively murky. The skill with which he draws out the best in his materials or reveals their fundamental poverty is our compensation. He knows what books his audience reads, reads them himself and uses them as a common basis. That is, partly, why he gets a hearing.

The proof in the early chapters that mind is irreducible to matter or to a neutral "energy" may seem to us *vieux jeu*; but it is not so to others. It leads to a treatment of the problem found by some in the fact of self-knowledge: "Nor need the thinker be different from the object . . . the quality of truth consists in giving us truth and nothing more" (p. 14); here it might be suggested that a man who is capable of putting the question may not be satisfied with so brief an answer. The final problem is at a higher level, and Fr. D'Arcy must ramble in the foothills. Again, the "emergence" theory of mind can never be eliminated except by the acceptance of creation, and the immortal nature of the soul can never be securely grasped without the recognition of its ground in God. But these early chapters are propaedeutic. Literary allusions and quotations from scientists and popular philosophers abound. Sometimes we might suspect that Fr. D'Arcy has his tongue in his cheek, but it is rather that he has his heart in his hand.

The suggestion is made (p. 42) that in the purely natural state the spirit after death would be a "frustrate ghost". No one knows better than Fr. D'Arcy what a tricky weapon is the recommendation of the supernatural by depreciation of the natural. This brings up the whole question of disinfecting language, on which Fr. D'Arcy has some good things to say later when he defends the imaginative expression of Christian dogma. The danger is perhaps greater, because less obvious, when he seems to accept in practice an unresolved opposition between the Absolute of metaphysics and the personal God of Christianity and stresses the relative impotence of unaided human thought without exploiting, as we might have expected, the distinction between *ratio* and *intellectus*. With other writers this might be indeliberate. It is depressing that he should feel obliged

to leave things there. The occasions for such regrets are incidental. What is characteristic is his analysis of experience ("Our best experience has time for an enemy and not an accomplice; we are frustrated by it and bitterly resent its intrusion, as the poets are always telling us", p. 45), reaching its climax perhaps with a splendid passage from the *Epistle of Privy Counsel*, and the handling of Sir Charles Sherrington's Gifford Lectures. ("No one can live on his own exhalations. Stripped of the emotional appeal in the language the thought is frankly despairing", p. 58.)

The last chapter of this part ("Soul and Body") contains the only passages in which a Thomist will be surprised at what Fr. D'Arcy says (for so far we have been concerned in effect with what he does not say). The first half of the chapter is a development of what has gone before with an effective exposure of modern "escapism" in regard to human nature. Then follows a difficult section which some might be advised not to tackle until they had read the later chapters. The chief difficulty seems to be in the attempt to compare and assess the Platonic and Aristotelian attitudes without an elucidation of the doctrine of form and matter. The shifts of thought and the *argumenta ad hominem* are so frequent that it is hard to know at times which way Fr. D'Arcy would have us face. We seem to have reached the open with the wholly acceptable suggestion "that there are two stages in human growth, and that for the first the body is requisite but not for the second" (p. 81). But it remains a suggestion only, and the mists begin to close in again with an allusive discussion of E. I. Watkin's view of spiritual matter in the *Philosophy of Form*. Few readers of page 85 will be sure whether or not Fr. D'Arcy is abandoning the ordinary Thomist view of the human *compositum*; he says nothing of the danger to the unity of the person to which Watkin's view is liable. The quotations from Hopkins's *Note-Books and Papers*, however valuable in themselves, may add to this obscurity and also the appendix of six pages on the unconscious. Fr. D'Arcy makes the necessary point that "an unconscious identical in all respects with the conscious except that it is not conscious" is an "extraordinary assumption" (p. 89). But he follows this up on the next page with the statement that "by its very nature a spirit must be alive and operative", and invites us to consider a man under an anaesthetic as conscious in the sense that he has mental activity but without the "owning" of it, without the activity of judgement. The distinction between simple apprehension and judgement may be useful for solving certain puzzles, but this theory goes much further and seems at least unnecessary. Why should we not simply say that a spiritual principle can be in a potential state without forfeiting its nature?

When we turn to the second half of the book we feel that Fr. D'Arcy comes into his own. We have here an account of Hell,

Purgatory and Heaven which should be of great service to those who cannot see beyond the outward dress of dogma to its inner meaning. The special advantage is the combination of compendiousness with a sympathetic treatment (the latter, as we have seen, carries with it a certain inconclusiveness, an unwillingness to drive points home, to make the final synthesis). A few quotations must suffice. "This enlarging of our capacities, this grace which enables us to love God with a love proportionate to His own, is what is called the 'supernatural'. We learn from Revelation that God gave this gift to man, that he lost it and that it was restored in Christ. All our life, therefore, in this world and in the next, is determined by this factor of the supernatural" (p. 121). This was perhaps the place for something on the connection between original sin and death which Fr. D'Arcy's audience may not understand. "God cannot be inactive, and just because His infinite gratuitous love is so dynamic as to lift the good into a supernatural union with Himself and recreate a body fit for such an ecstasy, it will have a pronounced and positive effect upon what is evil and opposed, shining through it like a fire 'reaching to the heart and vitals', permeating sense and spirit. It is the same active power of love, therefore, which produces Heaven and Hell, and the contrast between these two is due to the character and material on which it acts like an electric charge" (p. 135). "... The notion which we have just expressed, that the man who rejects God becomes an outlaw in the universe and finds all creation hostile to him, may justify, if necessary, what theologians hold as an implication of the Church's teaching, that is that the pain of sense, as distinct from that of loss, arises from the activity of God's other creatures" (p. 140). These passages are noteworthy not as embodying a novel theory but as distinctive translation. "If then we are truly united with the Word, which is the master-maker and composes all the meaning and action in the Universe, we too will understand in a new fashion, as it were from within, the meaning and activity of everything" (p. 168). It is hard to relate this with a previous sentence: "Even in the intuition of the divine essence we may be assisted by the multiple reflections which make up creation" (p. 163). But it has to be remembered that this book is really a draft which Fr. D'Arcy was unable to revise, and Fr. Gurrin, who prepared it for the press, was naturally chary of blue-pencilling.

DOM ILLTYD TRETHOWAN, O.S.B.

The Fear of Freedom. By Erich Fromm, Ph.D. (The International Library of Sociology and Social Reconstruction.) (Kegan Paul. 15s.)

"WHAT is freedom as a human experience? Is the desire for freedom something inherent in human nature? Is it an identical experience

regardless of what culture a person lives in, or is it something different according to the degree of individualism reached in a particular society? Is freedom only the absence of external pressure or is it also the *presence* of something—and if so, of what? What are the social and economic factors in society that make for the striving for freedom? Can freedom become a burden, too heavy for man to bear, something he tries to escape from? . . .

“Is there not also, perhaps, besides an innate desire for freedom, an instinctive wish for submission? . . . What is it that creates in men an insatiable lust for power? Is it the strength of their vital energy—or is it a fundamental weakness and inability to experience life spontaneously and lovingly? What are the psychological conditions that make for the strength of these strivings? What are the social conditions upon which such psychological conditions in turn are based?” (pp. 3, 4)

There can be no doubt of the importance of the questions which Dr. Fromm has set himself to answer in this book. Nor can there be any question of the fundamental—if still limited—importance and value of the empirico-psychological method of approach which he pursues. Nor, yet again, would we quarrel with—nay, rather would we stress—the importance and the truth of what he describes as the general “theme” of his book—“that man, the more he gains freedom in the sense of emerging from the original oneness with man and nature and the more he becomes an ‘individual’, has no choice but to unite himself with the world in the spontaneity of love and productive work or else to seek a kind of security by such ties with the world as to destroy his freedom and the integrity of his individual self” (p. 18).

To reach this estimable conclusion Dr. Fromm sets out with what seems to us a somewhat haphazardly chosen psychological equipment. The lack of definition in the author’s standards of reference in psychology adds not a little to the difficulty of getting to grips with his thought. While paying due recognition to the importance of Freud’s pioneer work, he rightly recognizes the inadequacy of “orthodox” Psycho-Analytic theory, cramped and confined as it is by its exclusively mechanistic presuppositions and its purely ontogenetic preoccupations, to deal with the high questions which he has set himself. It is perhaps unfortunate that he is less successful in freeing himself from Freudian *terminology*, and in recognizing its corresponding inadequacy as the vehicle of ideas which are quite foreign to it. The result is often somewhat bewildering. Terms like “sadism”, “masochism”, “narcissism”, “Oedipus complex” have a very definite meaning in the framework of Freudian sexual theory. Nor do they lose their meaning in the hands of writers like Jung, who nevertheless realize that the conditions represented by these terms

are but symptomatic of deeper spiritual disintegration. In the hands of Dr. Fromm their meaning is so stretched and transmuted as to bear little or no clear relation to what they were coined to signify. However strongly we must sympathize with the author's strictures on Alfred Adler's *substitution* of "inferiority feelings" and "wish for power" for "sado-masochism", and however much we must approve his criticism of Adler's neglect of the unconscious and of irrational motivation (cf. p. 129), it is surely very confusing to redefine Freud's terminology in a non-Freudian, and even anti-Freudian, sense.

It is not only in this relatively minor matter that the book seems to us to suffer from its unaccountable neglect of the work of C. G. Jung in the same field. In Jung's distinctions of Self from Ego, of Individuation from Individualism, for instance, Dr. Fromm would have found ready-made and scientifically established the terminology for which he seems to be groping, and which would have preserved his own writing from much of its ambiguity and laboured circumlocution. He would also have found a coherent frame of reference. He would have found Freud's emphasis on the unconscious widened and deepened into the recesses of the collective unconscious, freed from its ontogenetic limitations, and synthesized with Adler's emphasis on social adaptation and psychological purposefulness. Indeed, we would venture to suggest that in some of Jung's later essays (e.g. in *Modern Man in Search of a Soul*) he would have found his own conclusions already worked out, if not with quite the same breadth, then with perhaps greater depth and convincingness.

Early in the book (pp. 9 ff.) Dr. Fromm outlines his own psychological "assumptions". He does not succeed in making them very clear. Here—as too often in the course of the book—he is content to pile up paradoxes ("society makes man"—"man makes society") which he makes little attempt to resolve. Doubtless, within the closed system of a psychological interpretation of history such antitheses are irresolvable, but it is doubtful whether such procedure can be dignified with the name of "dialectical thinking" (cf. p. 90). Logically regarded, Dr. Fromm's psychological "assumptions" provide him with a set of contradictory premisses from which, in the unresolved state in which he leaves them, it would be possible to draw any number of mutually incoherent and contradictory conclusions he might wish. It seems to us to be a grave defect which affects his whole approach to the subject that he has not faced with sufficient boldness the preliminary problem of the scope and limitations of his empirico-scientific methodology in dealing with it. He has failed to see—as Jung *has* seen—that empirical psychology itself can only be at once comprehensive and coherent on condition of its acceptance of postulates "beyond science"—postulates confirmed but indemonstrable by scientific experiment. Nor does he seem to have

asked himself whether the meta-psychological and meta-historical questions which he has set himself can be adequately met by purely psychological and purely historical answers, or within what precise limits such answers can contribute towards meeting them. Thus, while he rightly stresses the distinction between "freedom from" and "freedom to", and indeed devotes half a chapter to this "ambiguity of freedom", the very limitations of his method preclude their clear definition and co-ordination, the understanding of which is nevertheless vital to his "theme". The offence would be venial were the limitations of the method clearly recognized, and the way were left open to the possibility of philosophical co-ordination of the conflicting data which purely scientific observation yields. But Dr. Fromm, by laying down as axiomatic the phenomenalist assumption that "there is no fixed human nature" (p. 11)—even though, with doubtful consistency, he holds it also axiomatic that "freedom characterizes human existence as such" (p. 19)—seems effectively to shut the door against any valid synthesizing on a higher level. It is true that, at least in the field of religion, he is careful to acknowledge that "the analysis of the psychological motivations behind certain doctrines or ideas can never be a substitute for a rational judgement of the validity of the doctrine" (p. 54), but it does not seem to have occurred to him that precisely this "validity of the doctrine" might have the most decisive importance in any adequate answer to his own questions.

We think it necessary to put the reader on his guard in regard to what we suspect to be grave, formal and methodological shortcomings in Dr. Fromm's book—shortcomings which, if persisted in by contemporary sociology, may have the most serious practical results. But we would not on that account distract attention from the book's many material excellencies, or have it supposed that the book as a whole is an unimportant one. Dr. Fromm is a keen observer, and he has a sense for the *practice* of psychological analysis and interpretation which (as is not seldom the way with psychologists) is considerably in advance of his possibly ill-digested theories. There is much in his psychological interpretation of Mediaeval and Reformation man which we should be inclined to dispute (the distinctions of Self from Ego and of Individuation from Individualism would have been particularly helpful here, as would also a closer acquaintance with mediaeval thought), but there is also much therein that is truly shrewd and suggestive. To draw attention to a few only of his acute observations, we would signal out what he has to say on the neglected role of inner, as distinct from external (or should it be "externalized"?), compulsions (p. 91); on selfishness and self-love (p. 99); on "employment" (p. 102); on the pernicious character of modern advertising (p. 111), and of much modern "education" (p.

213); his whole diagnosis (though more account should perhaps be taken of the role of projection) of the tragedy of individual isolation and impotence in mass-civilization. Particularly welcome from a psychologist is his recognition of the deleterious and self-defeating effects of much popularized psychology (p. 212), and his timely strictures on that unhappily large number of psychiatrists who "take the structure of their own society so much for granted that to them the person who is not well adapted assumes the stigma of being less valuable" (p. 119). His final chapters, on The Psychology of Nazism and on Freedom and Democracy, contain much which demands the most careful consideration.

In short, Dr. Fromm has contributed much valuable material towards the understanding of that problem which Kierkegaard called that "of the isolation of the individual as conditioned by the Reformation"—a problem by no means confined to those who are consciously and professedly the lineal descendants of the Reformers. And understanding of the problem is an indispensable prerequisite to its solution. Psychologized history can, like psychological analysis in the consulting room, do much to assist in the process of reassimilation by consciousness of the unconscious roots of the diseases which afflict Western man. But it would be disastrous were the understanding of the problem to be mistaken for its solution; still more disastrous were that understanding so interpreted as to preclude the very possibility of its solution. Dr. Fromm is right—if somewhat too vague—in summoning Western man "to unite himself with the world in the spontaneity of love". But this spontaneity of love is something that can be mediated neither by the study of history or of psychology; nor can it be made to order. This is tantamount to saying that the meaning of freedom in its inmost and existential reality is to be found only beyond both history and psychology. That is why, in the last analysis, Kierkegaard and Dostoevsky can help us more decisively to bear the burden of freedom than can any amount of purely empirical sociology. If its rôle is modestly confined to that of *removens prohibens* it can nevertheless teach us much that we need to know.

VICTOR WHITE, O.P.

The New Leviathan. By R. G. Collingwood. (Clarendon Press, Oxford. Humphrey Milford. 21s.)

COURAGEOUSLY, in spite of illness, Professor Collingwood is completing the philosophical series outlined in his *Autobiography*. The most recently published member of that series is a book about man in society, or "political theory". But political theory for Professor Collingwood comprehends a wide range of reflections: we have, therefore, the fruits of his thinking on the psychology of feeling and

appetite, on passion and desire and choice, and consequentially on these (whether this consequence is a firm or a sound one he does not, I think, discuss) his thoughts about ethics—reason and utility and right and duty. This comprises Part I of his book. Part II treats of society: society and community, the family, will and force in society, political action, war, the doctrine of the “classical politics”, and so on; in what relation, other than that of mere succession, this part stands to the first is by no means clear. There follow, in Parts III and IV, an essay on civilization and one on barbarism, and in the former a splendid and rollicking chapter (XXXVII) on education.

In this comprehensiveness Professor Collingwood follows in the footsteps of Hobbes and of philosophers greater than Hobbes. It is, and has always been, a great merit in him to discern and proclaim how fertile of error and confusion it is to cleave asunder one from another, as with a hatchet, the different activities and springs of activity of man: so that, for instance, one’s conception of politics cannot be insulated from one’s conception of what man is. Perhaps it is this clear realization that, above all, gives to this book an apparent amplitude and richness which mark it off from the shrivelled and jejune and “academic” work that is so often apt to pass muster as political theory. Yet, as I have said, the bond of unity in this book and the real coherence of its parts are far from easy to discover.

In many other respects, too, *The New Leviathan* is characteristic of its author. “I beseech you, in the bowels of Christ, think it possible you may be mistaken.” It is an entreaty with which a reader conversant with philosophical literature may well sympathize. For Professor Collingwood is nothing if not assured of his wisdom and goes on his way unruffled in his self-confidence. No doubt this is not inappropriate in a book with this title; for such serenity and downright promulgation of it are habits shared to the full by Hobbes himself and emphasize a genuine affinity between the minds of these two authors. So, for instance, in his chapters on “Feeling” and “The Ambiguity of Feeling” Professor Collingwood continues to expound his doctrine that sensation is feeling (this is asserted) so that the question: Are there sensed objects? (or as he puts it: Are there objects of feeling?) is a question unanswerable “on positive grounds”. It is as hard as ever to know by what title we distinguish, as we do, perception and imagination, and all the harder in view of the apparently pragmatic character of “selective attention”. (The pragmatism of Professor Collingwood, which emerged most clearly in his *Metaphysics*, has not been sufficiently noticed. It makes it difficult to understand what in the end distinguishes his views from those of the modern positivists whom he despises.)

With these magisterial declarations that Thus and thus is it with this and that (into the corner any dunce who cannot follow me)

there goes an equally characteristic and confident claim to the understanding of the heritage of the ages. Here is a specimen. "Beautiful", avers Professor Collingwood, means "loved"; "the same act of loving which finds its object beautiful makes its object beautiful, or justifies itself by making for itself an object towards which that practical attitude is the only one possible". Further, with the conversion of appetite into desire, beauty is converted into goodness. To be good *means* to be desired. But a desire may be true or false; therefore, "whereas you cannot be mistaken in thinking what you love to be beautiful . . . you may very easily be mistaken in thinking what you desire to be good, that is to say you may be mistaken in desiring it or thinking you want it". I am not now concerned with the criticism of such a doctrine, but only with the ensuing disquisition into history. For Professor Collingwood recognizes and is proud of the paradoxical character of this doctrine. It will be repudiated, he says, "with that indignation which betrays the substitution of heat for light in a man's mind", and repudiated for two reasons: hypocrisy (we are ashamed to confess what we desire), and "the fact of abstraction". For "the object of desire is an abstraction from the act of desiring: and to be good is an object of desire and hence an abstraction. Now abstractions are always indeterminate; and hence, as Plato has eloquently reminded us, what is good is only good in some specific way: good 'as this' or good 'for that', never just good or wholly good or 'good in itself'." But where in Plato's writings do we find this eloquent reminder? In fact, of course, such notions could never have entered Plato's head, being quite incompatible with the analysis of goodness in the *Republic* and the account (in that same work, §19b et seq.) of goodness in relation to duty; an analysis and an account that are not fancy pieces of the moment but central pieces of a consistently held ethical theory. Professor Collingwood has done nothing for the credit of a rickety thesis by buttressing it with a vulgar error; perhaps in this instance the error is pardonable in that it is vulgar, shared by many. Of course, Professor Collingwood is aware that Plato does sometimes talk of something called "the Form of the Good", and that such talk dissipates what he thinks "Plato has eloquently reminded" us of. Here is what he says about it. That good is only good in some specific way means, so he would have us believe, that "an object of desire is never utterly desired, it is always desired conditionally or qualifiedly"; and "this reflection (disconcerting except to one who has learned the lesson of Christian love, ἀγάπη, 'overlooking the faults' of what you love) drove Plato into a wild-goose chase after some object that should be absolutely good, 'good in itself'; where I respectfully decline to follow him." Yet one would have thought that if any man knew what ἀγάπη was, St. Augustine did. But really, as to this excursion into history,

if I may use a Collingwoodian phrase, the less said about it the better. It is a pity, however, that a man who has written so well about the importance of the history of philosophy and criticized with justice some recent Oxonian indifference to it should himself show up so poorly—even, as in those pages of his *Autobiography* devoted to Cook Wilson and his followers, when the history is contemporary history. Moreover, when will there be an end of this habit of linking great names to dubious doctrines that they never held? Not wrongly did Kierkegaard speak impatiently of “the cursed mendacity which came into philosophy with Hegel, that eternal hinting and deceiving, and blustering and dilution of some point or other in the Greeks”, and (one might well add) of some point or other in Christian doctrine.

Naturally, *The New Leviathan* contains many historical judgements, on theories and policies and on events. I cannot commend them. The account of the “classical politics” (of Hobbes and Locke) seems ill informed, particularly on the crucial point of the conception of art or convention in contrast to nature; it is also, I think, “academic”, for there is a complete silence about the mediaeval theory, which itself is not fully intelligible apart from the mediaeval background and, on this background, from the authority and the claims of the Church. On policies and events the author’s views appear naive even when there is something to be said for them. For example (to take an instance where the evidence is abundant and accessible) he commits himself to the judgement that what broke the League of Nations was “the fact that the League (having been conceived by a man too incompetent in politics to recommend his own conception to the country of which he was President) was run by men too ignorant of politics to see that this result was inevitable”.

T. E. Hulme used to say that controlling the imposing systematic structure of a philosopher you would find, if you looked with care at his concluding chapters, an array of what can only be described as preferences. As a rough generalization this opinion has truth. The particular concrete judgements, especially the moral judgements, of a philosopher often provide the same sort of evidence as his last chapters, and the same sort of revelation. In his chapter on “The Family as a Society” Professor Collingwood delivers himself of this verdict: if the practice of contraception has enemies—“enemies in principle, objecting not to this or that contraceptive method but to contraception as such”—it is because “they are persons who aim at circumscribing human freedom. They would like men not to be free at all; if that is impossible, they will fight every advance of freedom step by step. They are enemies of free will.” And there’s an end on’t. When the Pythoness throws off her prophetic mantle and comes down from the tripod, it is not to be wondered at if a spec-

tator finds her features plain, or thinks twice about consulting that oracle again.

This book is characteristic of its author in yet another way. Professor Collingwood has a gift of English prose; he writes with vigour and sap and vivacity, and with considerable elegance. This is a gift shared by very few among modern philosophers. Yet like every good thing this power of his has its own parody, and it may be that a gift plays tricks with its possessor. Too often in Professor Collingwood's style of writing one has an experience as of a curtain being drawn away and the secrets of a shrine revealed; it is sound advice to step back a pace and see if there is, after all, anything there. The lay-out of this book—in short paragraphs with decimal numbers attached—suggests an atmosphere of profound aphorism which makes this advice doubly sound. Sometimes, too, and harmlessly enough, the obvious is ushered in like some Lorenzo the Magnificent: "In a dialectical system it is essential that the representatives of each opposing view should understand why the other view must be represented. If one fails to understand this, it ceases to be a party and becomes a faction, that is, a combatant in an eristical process instead of a partner in a dialectical process."

Honour compels candid speech; but candid speech has always had Professor Collingwood's benediction, and to be uncandid about a book of his would be to dishonour him. He himself, as he has stated, pays no attention to such criticism as I have made—especially, one suspects, when it comes from a colleague—and he revels in an Athanasian rôle. But a reader may be unwary: such vivacious self-confidence and an atmosphere of omniscience, with a bland firmness in handling a multiplicity of topics and a prose that suggests great secrets being disclosed, have a drive and a force too easily mistaken by the unphilosophic for the self-authentication of truth. But it is not with a book such as this that wisdom shall die.

No doubt, too, Professor Collingwood is deliberately provocative and paradoxical: he loves to shock and to hurl anathemas. It may be thought, therefore, that severe strictures are out of place, because humourless. Yet even the ability of an F. H. Bradley would be a poor defence for over-indulgence in this sort of childishness. But this is not the answer. It may be, as I have heard said, that a joke isn't a joke until it has gone too far. But Professor Collingwood did not intend his book to be a joke: he writes that "some degree of greatness, though I hardly know what, might be ascribed to a book written in great part not (as Hegel boasted) during the cannonade of Jena, but during the bombardment of London".

V. G. TURNER, S.J.

The Dual State. A Contribution to the Theory of Dictatorship. By Ernst Fraenkel. (Humphrey Milford, Oxford University Press. xvi + 248 pp. 24s. net.)

THE thesis of this book is that while National Socialism in Germany is marked by a deliberate erection of political expediency into a policy, it could not carry on at all unless there were a solid substratum of social relations governed by the older principles of legal stability. The co-existence and interaction of these two theories and their corresponding systems is described in terms of a dual state. The first is based upon "prerogative" law, the second upon "normative" law, the one sanctioning arbitrariness, the other supporting order. The story of how the prerogative state tries both to supersede and at the same time to use the existence of the normative state is the paradox of the German situation. Ernst Fraenkel describes it in a thorough, scholarly, and (for an opponent of National Socialism) dispassionate legal study, based upon great familiarity with sociological literature, with innumerable juristic pronouncements and with a whole series of court decisions.

An opening chapter on "The Prerogative State" provides a list of cases which demonstrate how *Reichsgericht* curtails all legal rights of persons and associations in the interests of party policy. A new body of precedents is thus set up which places politics above the law and tends to override the function of civil government. There are not wanting jurists to defend these developments by discourses on the higher law of self-preservation. But there are necessarily some self-imposed restraints on the prerogative state, and the sphere still protected by legal rule is mainly that in which day to day life, economic contracts, private property, competition, and labour law require it. Fraenkel distinguishes the German "dual" state in which the normative law is countenanced for certain necessary reasons by the prerogative state, from the separation of powers, or "dualistic" state which has given European history its peculiar political complexion.

In a central section of the book Fraenkel illustrates the conscious repudiation of rational Natural Law theories by the politicians, professors, and lawyers of the Third Reich. In this careful and useful discussion he corrects one or two misleading generalizations which the doctrinaire character of much recent writing has encouraged. Classical Natural Law is *not* foreign to the German mind; its modern form is largely the work of German thinkers. On the other hand, historical conceptions of law, as distinguished from rational theories, are by no means peculiarly German. The influence of Burke and Montesquieu has been as strong a support to romantic and historical theories of society as that of Hegel or Marx. Fraenkel also calls attention to the stimulus given by the White Russian *émigrés* (not only

Rosenberg) to the biological folk-mysticism which plays a large part in National Socialist outlook. Again, National Socialists are as opposed to communal, historical (*gemeinschaft*) theories as they are to societal, rational (*Gesellschaft*) conceptions of law.

"Burke's appeal to irrational forces of historical development is indeed applicable only where tradition is unbroken but not where all traditions have disintegrated. The National Socialists are not the protectors of an inherited tradition. The "good old law" is no more sacred to them than new law derived from rational principles."

The book naturally refers a good deal to the writings of Carl Schmitt, the ablest political thinker of modern Germany, who has abandoned Catholicism to become one of the Party's strongest apologists. Fraenkel shows that Schmitt's theory of "concrete order" does not mean that any actual community is the source of its own law. It is true that the Prerogative State is supported by a view that beyond the needs of the ethnic group there are no legal values. But only those groups, ethnic and historical, are regarded as "concrete communities" which the National Socialist ruling power decides so to regard—a decision made in accordance with "the demands of the situation". This "decisionist" element appeals now to community history, now to normative legal rights, according to political expediency.

Another writer, Dietze, a correcting disciple of Toennies, is quoted as attacking the application of "societal" natural law to domestic politics, while accepting arguments drawn from it in international affairs. So long as Germany was rearming, her policy was justified in terms of equality of rights, self-determination, and freedom to choose measures of defence. After 1936, however, we have statements like this from another jurist, Gürke: "International law presupposes the racial and cultural affinity of states."

The most conspicuous example of the working of the Dual State is furnished by Fraenkel in his concluding section on the economic and sociological facts of the situation. It is, in brief, that the prerogative *raison d'état* is made to cover as much of the other spheres of life as is safe without chaos, in order that the capitalist organization of industry shall be protected by the normative functions of the law. Everything else is irrationalized so that the energies thereby released shall serve the political control of the economic process of maximum industrialization. Even so, it is only the economic *process*, and not its *end*, which retains rationality. German capitalism is "functionally" but not "substantially" rational. In other words, Industry as an instrument of power is aimless. That is why the state requires war and why the war requires enemies. The book's final argument raises cogently the question whether the German situation is not the apogee of all Industrialism. At any rate, it provides convincing

evidence that it is not "the end of economic man", as Peter Drucker led a good many into believing. It may be his last kick, for it draws all the emotional and non-economic forces in society to carry on the infinite aimlessness which modern industrialism seems to need.

V. A. DEMANT.

The Pollock-Holmes Letters. Correspondence of Sir Frederick Pollock and Mr. Justice Holmes, 1874-1932. Edited by Mark de Wolfe Howe, Professor of Law, University of Buffalo School of Law. With an Introduction by Sir John Pollock, Bart. (Published by the Cambridge University Press, 1942. 2 vols. 275 and 359 pp. 36s.)

Though I can never see your face,
Nor ever clasp you by the hand,
I send my soul o'er time and space
To greet you; you will understand.

THESE words of James Elroy Flecker are most apposite to the relations between the two Olympians whose letters are here collected. Though they but seldom met, each kept the other constantly in his heart, and each communicated to the other the most intimate thoughts of his mind. The epistolary art is rusting into decay, and unless the habit of writing and preserving good letters can be kept alive a most valuable source of history will be lost to the world. For letters vie with diaries as running commentaries on contemporary affairs; Cicero, Pliny, Pepys, Evelyn are alike indispensable to those who would call before their minds a true picture of the ages in which they lived. Perhaps collections of letters are even more precious than diaries, in that they present history to us through the medium of the cut-and-thrust dialectic of two superb minds, which must transcend the unilateral impressions of one.

Both these correspondents were among the most learned men of their time. The many-sidedness of Pollock marked him out almost as a modern Bacon. The finest jurist in the English-speaking world, he was also a profound classical scholar, a poet, philosopher, mathematician, and student of every phase of humanity. His publications included not only his standard works on tort, contract, and jurisprudence, but also monographs on subjects so diversified as Spinoza and mountaineering. He seems to have kept abreast of every variety of new publication. His interest in the English novel shows itself repeatedly, as does his love of the drama, in his admiring references to the now famous portrayal of Katharina in *The Taming of the Shrew* by Ada Rehan. He was untiring in the public service; the Indian Contract and Partnership Acts are the work of his most able hands. He served on many committees, far more than he mentions here, for his modesty leads him to a tantalizing reticence over his own achievements. He shows himself keenly interested in, and sympathetic

with, the labours of junior colleagues, and unstinting in generous praise for a good piece of work; but at the same time he is rightly intolerant of the slipshod and the pretentious. Especially is he pained by the misuse of the English language, and his complaints, in his capacity as editor of the Law Reports, of the phraseology adopted by some reporters form a recurring motif throughout the letters.

Holmes's life was very different from Pollock's, though at one time they converged, when Holmes became a Professor at the Harvard Law School. Holmes had one experience which was denied to Pollock, that of active military service in the Civil War; that he retained his interest in military matters throughout his long life and that Pollock shared it is shown by some of the later letters, of which tactics form the main theme. But fate decreed that Holmes's professorial career should be short; he went from his Chair to the Bench of the Supreme Court of Massachusetts, which proved to be in turn but a stepping-stone to the Supreme Court of the United States. The pressure of his judicial life naturally contracted his literary output, but all that he did write was first-rate. His work on *The Common Law* ranks with the greatest legal works of all time. His essays, less well known, all reveal profound knowledge and a consummate mastery of expression. But his judgements are, in themselves, storehouses of literary lore. To read them, as Felix Frankfurter, now himself an Associate Justice of the Supreme Court, put it, "is to string pearls". No collection of famous sayings would be complete without his remark, uttered in his dissenting judgement in *Lochner v. New York*: "The Fourteenth Amendment does not enact Mr. Herbert Spencer's Social Statics."

As is to be expected from the fact that law was not only the profession, but also one of the favourite hobbies of both men, law forms the staple subject-matter of the correspondence, though few letters are devoted exclusively to it, and some deal entirely with other topics. We must now pass them in swift and kaleidoscopic review. The very first letter is one of the most delightful, in which Pollock touches on the decision in *Crouch v. Crédit Foncier*, of 1871, to the effect that "the law merchant cannot now be extended by evidence of any modern custom", a decision destined shortly to be overruled by a later case; a suggested line of distinction between delict and quasi-delict; and an extract from Viner's Abridgment illustrating a most important point of Pleading. Pollock records the appearance, in 1878, of the edition of Bracton in the Rolls Series by Sir Travers Twiss, a piece of work which he viewed with growing disappointment, which must, however, have been assuaged by the later work of Maitland and of Woodbine. Names such as the great brothers William and Henry James, Lord Bryce, Dicey and Anson form the shuttlecocks for many spirited rallies between the two players, then

in the vigorous prime of life, of this enthralling game of epistolary battledore. In a letter of 1897 we meet for the first time Holmes's famous dissenting judgement in *Vegeahn v. Guntner*, on the lawfulness of peaceful picketing for a legitimate end, which was destined to meet with very general approval in England, and to which Scrutton, L.J., paid an encomium in *Ware and De Freville Ltd. v. Motor Trade Association* in 1921.

The decision of the House of Lords in *Allen v. Flood*, in 1898, attracted much more attention than was warranted by the facts. As Pollock so truly says, "the Lords talked too much and about too many things, except Macnaghten". Mr. Allen, the trade union official, appeared in one guise to the majority, and in another to the minority, of the House. In Lord Halsbury's view, he came storming and bullying into the office of the employer of Flood, and the purport of his words was: "You dismiss Flood at once, or else I call out the men." In Lord Macnaghten's, he came courteously in reply to an invitation, and uttered not a threat but a statement of fact: "If you do not dismiss Flood, I am afraid the men will come out." Even Lord Macnaghten, however, thought it necessary to explain the basis of *Lumley v. Gye*, and to point out that it did not rest on malice. Of course it did not; it rests on a principle of jurisprudence that seems obvious to us now, though it is true that it was not nearly so obvious in the middle of the last century. It is that A, by entering into a contract with B, obtains two rights, a personal right against B to the performance of the contract, and a real right against everyone that he shall not be disturbed in its continuance. If, therefore, C persuades B to cancel his contract, he has violated A's real right, and, whether or not his motive was malicious, he is liable to an action at the suit of A. But in *Allen v. Flood* no breach of contract was involved, for Flood was a casual labourer. According to the view taken of the facts, there may or may not have been malice on Allen's part. It was not then clear, as it has subsequently been made clear, that while malice on the part of one person will not render him liable, if he would not have been liable without it, in the case of a combination of persons malice will make all the difference. Lord Halsbury rested his minority judgement on the basis of older cases, which suggest that it is unlawful to prevent another from doing what he pleases, thus infringing the right afterwards defined in the Trades Disputes Act, 1906, as the right of a person "to dispose of his capital or his labour as he wills". Having confided to his friend his views on *Allen v. Flood*, it was inevitable that he should write to him also on the subject of the later case of *Quinn v. Leathem*. The facts in this case resembled those in *Allen v. Flood* in that no breach of contract was involved, and in no other way. There was combination, and the defendants not only admitted, but gloried in their malice. The

decision in favour of the plaintiff was unanimous, but the reasons given for it conflict in the most bewildering way. The House was not then ready to enunciate the doctrine that the actionability lies in the conjunction of the two elements of combination and malice; the student of the early twenties was taught that it rested on the doing by the defendant of a lawful thing by unlawful means, a facile solution, which elicited the query, "What are unlawful means?"

In 1922 Holmes gave a decision in *United Zinc and Chemical Co. v. Britt*, to the effect that the owner of land on which there happens to be a continuous trap is under no obligation to warn a mere trespasser of its presence. This decision was not cited to the House of Lords in *Addie v. Dumbreck*, though it was precisely in point, an omission which annoyed Pollock. The boy who was hurt had no sort of licence to enter from the defendant, who was working a haulage system in his own field. It was held that the mere fact that he knew that children played in the field at times when they could elude the vigilance of his servants did not lift them out of the character of trespassers, and render them licensees. It is a pity that the collection contains no letter alluding to the later case of *Excelsior Wire Rope Co. v. Callan*, which is not easily to be reconciled with *Addie v. Dumbreck*. The judgement for the plaintiff may be explained, as Dr. Stallybrass has pointed out in the ninth edition of *Salmond on Torts*, on the footing either (a) that the peculiar circumstances rendered the plaintiff a licensee, or (b) that the defendant was himself a mere licensee on the land, and therefore owed a higher duty than would an occupier, or (c) the defendant was callously disregarding the presence of the child on the land, and so was liable to him, though he was a trespasser. Lord Justice Scrutton subsequently, in *Mourton v. Poulter*, in which he referred with approval to the *United Zinc Co.* case, suggested a fourth ground of distinction, on the facts—that in the earlier case the servant of the defendant who started the machinery did not know, and could not have known, of the presence of the child at the crucial moment, whereas in the later case he could have seen him had he looked round, as he should have done.

The letters never omit a reference to current affairs. Holmes expresses the utmost appreciation of Great Britain's attitude in the Spanish-American War. The comments on both sides throughout the War of 1914-18 reveal a common appreciation of the fundamental principles of right and wrong. "*The March of Tamerlane*" is Holmes's descriptive phrase. The letters of that period should be read and re-read by all those who have any remaining doubts of the essentially aggressive and demoniacal nature of the philosophy of the whole German race. Harshness passes to brutality, brutality to bestiality, in sickening cavalcade. We might be reading a commentary on the events of the present day.

The correspondents indulge in much literary criticism, each delighting to share with the other his joy in a newly read book. In none of the letters do we meet with any word that is petty, any word that is petulant, any word that is unkind. Their written words provide an index of great hearts and lofty souls. Their love for, and loyalty to, friends confronts us at every turn. Both were immersed in grave affairs, yet both took pleasure in simple things. They shared that precious attribute, without which human nature is surely incomplete—a love of animals. The letters can be adequately summed up in one phrase which, though hackneyed, can never be trite, "Here is God's plenty".

No review would be complete without a word of sincere praise for the beautiful introduction by Pollock's son, the present baronet, Sir John Pollock. It is a jewel, some twenty pages long.

H. G. HANBURY.

Kurt von Schuschnigg. A Tribute. By R. K. Sheridan. (The English University Press. 15s.)

WHEN Schuschnigg on 9 March, 1938, gave to the Austrian people the watchword "*Rot-Weiss-Rot bis in den Tod*" and then two days later ordered the Austrian Army to show no resistance to the invading German troops, many even of his keenest supporters began to doubt him. The contrast was too obvious, the disappointment too great. For the greater part of the Austrian people were ready to follow him to the end. But this last striking contrast between his decisions only brought out glaringly once again the tragic situation in which he had to direct Austrian politics. And in this last decision, as in the most essential of the others, he has been justified by the developments of later years. Certainly, as trustee for the future of Austria, he had to bring out fully the will and the power of the Austrian people to defend their freedom. But how could he have allowed Austria to give herself up to a futile struggle, when no one was prepared to help her? The same holds, for example, for the agreement of July 1936, which roused even among his most intimate supporters many doubts and indeed strong opposition. The agreement could not be anything more than a means of gaining time, until perhaps the greatest danger had been averted from Austria. A whole series of States, including most recently Russia, followed the same path, in spite of all these earlier experiences.

In regard to his internal policy the worst reproach was that he had not made greater efforts to win over the Socialist workers. No one would have wanted such a pacification more than he. But what would have been, in fact, the result if he had quite openly brought in the Socialists? Berlin would have demanded the admission of the National Socialist party under the same conditions, would have

worked at propaganda about handing over Austria to the "People's Front" and to Bolshevism; and, finally, attacks on the Austrian National Socialists, which would easily have been provoked, would have offered a pretext for invasion long before 1938. These are only a few examples of the tragic situation in which Schuschnigg found the destiny of Austria placed in his hands. His entire policy could only be directed to gaining time. Even after his visit to Hitler at Berchtesgaden on 12 February, 1938, this was the hope to which he clung. In a short time, he said, the map of Europe would look quite different. And he was more justified in that than perhaps any European statesman at the time could have imagined.

Mr. Sheridan's biography does not bring out to its full extent the tragic atmosphere in which Schuschnigg's chancellorship was carried on; nevertheless it can be said that the figure of Schuschnigg as statesman has not hitherto been so well drawn as in this book. The reader is carried along by the often breathtaking drama of the succession of events, even if it is only as an observer without access to the chancellery on the Ballhausplatz or to Schuschnigg's home in the Belvedere and dependent on secondhand information. No one will complain if a good deal of the drama is mingled with melodrama, for it makes the book perhaps more readable for many, even though the result is that some details appear which have their sole basis in the imagination of the author. Nor would it be just to blame the author for mistakes in non-essential matters, since it is at present impossible to test the details on the spot or in the archives (many of which will not exist any longer). The book must certainly be regarded as an attempt, long overdue, to do justice to Schuschnigg. (The many errors in German quotations cannot, however, be excused.)

It is a common but prejudiced view that Austria, since the Counter-Reformation, has been under Jesuit influence, although from the time of Joseph II the Jesuits have had no more influence in Austria than in any other European country. In Dollfuss's Austria they had no power at all. The influence of Schuschnigg's education in a Jesuit college, so far as it provides the author with a basis for criticism of his politics, is judged in a false light. In fact, his early devotion to the arts, especially to music, would have prevented his character from becoming cramped or "jesuitical", in the author's sense of that word. (He is still more mistaken in regard to the jesuitical character of Seipel, who "was never known to smile". The author only proves by such statements that he never saw Seipel or came into personal contact with him. Certainly one saw the *Professor* in Seipel at the first glance, but he was only jesuitical if by that expression is meant the possession of an acute understanding of an argument.)

Schuschnigg himself would refuse to allow his own picture to be

more brightly painted through darkening that of Dollfuss, as the author appears to do. Great as were the differences between the two personalities, they were completely at one in their ideas about Austria; Dollfuss, too, was at least as much of a democrat as Schuschnigg. Starhemberg comes off very badly; it is certainly untrue that he tried to obtain the chancellorship and in this sense was a rival of Schuschnigg. Scarcely less amazing is the mistake about Schuschnigg's personal and political relationship to certain personalities, as for example Winter and Draxler; nevertheless these are secondary figures in the drama of Austria during Schuschnigg's chancellorship. The description of the place which his wife Herma held in his life is just: "Herma was the only person in the world in whom he entirely confided." If there is a key to the understanding of his character then it lies in this fact.

J. MESSNER.

Catholic Art and Culture. By E. I. Watkin. (Burns Oates & Washbourne. 9s.)

MR. WATKIN'S own joy and interest in the subject pervade this new essay of his on Catholic Art and Culture, and, as usual, he shows himself a traditionalist with strong, independent views. He likens the periods of Christian culture to the seasons of the year. The first centuries are the springtime. The seed of Christianity is beginning to work. The paganism of the Roman Empire was abhorred and the early "collects ask for grace 'terrena despicere'." Nevertheless a change was coming over the literature and art of the world. Watkin argues that the perfection of the Christian life in its human relations is a tension between a soaring, supernatural tendency and a widening, humanist one. In the springtime the harmony of these two tendencies is not achieved. Other-worldliness is the predominant note. Then comes the summer of mediaeval Christendom, the Gothic period. The world was no longer offensively alien, and it could be converted. Hence the culture widened, and as it was a small world it could be subordinated to the soaring tendency. "Equipped with a baggage of culture sufficient to educate, insufficient to distract their vision, the makers of Latin Christendom had their eyes fixed on heaven . . ." Gothic architecture, hierarchy, law, the somewhat puritanical views, even of a St. Thomas, are the products of this. Next come late summer and autumn, and they are summed up by Watkin in the word Baroque. Those who know Watkin's love of baroque will not be surprised to find him claiming that this is the happiest stage reached by Christianity. The tension between the two tendencies is most marked. Humanism has come into its own and the Gothic spirit seizes it and masters it. "And above all it was the ripe fruit of the Catholic religion-culture, when its classical

matter was most extensively employed and refashioned by the Christian form. It was thus pre-eminently the culture of a Christian and a mystically Christian humanism, a culture such as the religion of God incarnate must of necessity inspire." A generation ago such words would have scandalized a Christian reader. He took for granted that Gothic represented the truly Catholic ideal, and many Christian apologists still fix on the renaissance as the beginning of our modern woes. Maritain, for instance, regards this period as one of "stoic athleticism" and so opposed to the Catholic spirit as to be unredeemable. On the other hand he thinks that our modern age can be turned into a theocentric humanism, whereas Watkin calls it the winter of Christian culture. "The old Catholic religion-culture of Europe is dead and is being carried out to burial. It cannot be raised from the tomb. Its world year is over, has ended with midwinter."

Mr. Watkin does not, however, despair of the future. "The form of the Catholic religion-culture now dead is immortal." He expects it to rise again among the "dispossessed and rootless urban workers and the petty bourgeoisie". Unlike many other Christian writers he is sceptical of the peasant because of his persistent and tenacious paganism. The masses, he hopes, will be drawn to the liturgy and to the practice of contemplative prayer, to devotion to St. Joseph, the "saint of the hidden life", and "make a return to the theocentric understanding of the Sacred Humanity as taught by the French school". By these and various other means a new Catholic culture may come to life, in which, as Watkin suggests, the commissars will be replaced by contemplatives. The dreams of Aldous Huxley and Gerald Heard may be fulfilled, but under the direction of the Catholic religion-culture and by the inspiration of the Holy Ghost. The old belief that humanity in its final stage will in a special manner be the care of the Holy Ghost is taken up fervently by Watkin. He thinks that the future Catholic culture must subordinate the "immanentism represented by modern scientific civilization and the social institutions it is in process of fashioning. For this the immanent aspect of the Christian religion, God's presence and work in nature and man, must be brought into greater prominence than in the past. This immanent operation is . . . appropriated to the Holy Ghost." And so it will come about in the end that "the kingdom of God will descend to man on earth and be the kingdom of God in man, the kingdom of a deified humanity". I confess that this vision or prophecy raises many questions in my mind, but then, part of the pleasure of this book is its success in provoking thoughts and questions.

M. C. D'ARCY.

Light Before Dusk. By Helen Iswolsky. (Longmans. Pp. ix + 253. 15s.)

THE Congress of the Jocistes at the *Parc des Princes*, the dynamic force and sense of community of the *Amis du Temps Present*, the influence of Maritain the neo-Thomist and Berdiaeff the Orthodox Russian, even the *main tendue* of the Communists, all these were signs of the strength and vitality of spiritual renewal which was working in France between the wars. All, from Maritain lecturing at the *Ambassadeurs* to the youngest Jociste who wore his badge in a "Red" factory, were part of the leaven which was at work in the heavy, dechristianized mass of the French people.

Miss Iswolsky, a convert from Orthodoxy to Rome in 1923, lived through all this and here sets down in more or less autobiographical form her experiences in Paris till darkness fell in June 1940, and in Unoccupied territory from then until she left for the U.S.A. in the summer of 1941. More than anything else perhaps, it is the story of friendships, of the placid contemplative household of Maritain, of the rather more turbulent but none the less warm circle of Berdiaeff, of the intense humanism of the *Esprit* group. At the same time the author did not turn her back on those whom she had left, nor, again, did she succumb to the blind proselytizing zeal of the *neo-conversa*, but worked quietly and steadily to find the true ground of reunion between East and West, taking as her guiding principle the words of Solovieff: "The Union of the Churches must not be mechanical, but chemical." Most striking of all is the difference of time-perspective in these two spheres of work: "the work for Union is to be a work of many years, perhaps of centuries", but among the French social Catholics there was an ever-growing feeling of the approach of the night when no man can work.

Politically the two crucial dates in this period were February 1934 and June 1936; the first causing a polarization of Fascist and anti-Fascist elements, the second deepening the hostility, mutual suspicion and appeal to violence in both of the groups. All were ready to abandon parliamentary discipline and constitutional methods; that was why the Cabinet in 1940 were so easily convinced by Weygand that the barricades of the Commune were being re-erected in Paris. France, from 1934, was gradually rent in two and the disintegration was helped on by propaganda paid for by foreign states; there were as many willing to give ear to de Brinon as to Thorez. A desperate attempt was made by the Catholic intellectuals to stop the rot and Miss Iswolsky does well to insist on the importance of the manifesto *Pour le Bien Commun* published by fifty-one Catholics in March, 1934, one year after Hitler assumed control of Germany and one month after the Paris riots. In this slim pamphlet they laid down the lines that they, and the ever-increasing number of men of good

will who joined them, were to follow: "There are in the political and the temporal other resources than purely material energies. . . . To liberate these higher resources . . . means to give back to the political its power and dignity." This was the first time the voice of the Christian humanists had been raised and there were many who listened, but the majority were still held in thrall by the spirit of Guizot and by power politics. The result was inevitable: even before the war broke out the people of France were politically demoralized.

It is good, when so many books are conscientiously explaining why France fell, to come on a book which gives solid hope that France will rise again, even as Pius XII prophesied when he said "her task is linked to that of Christ who has never been defeated and never will"; and one is grateful for the glimpses which the author gives of the work of regeneration which is still going on, though one may take leave to doubt that 300,000 members of the youth movements met in congress at Lyons since the fall of France.

In company with a group of fellow Russian exiles the author followed closely the developments, both social and religious, in Russia, and her verdict is optimistic. It is more than that, for she believes that salvation will come from the East, and gives solid grounds for such optimism: the profound religious soul of Russia which no *Bezbojnik* or *Komsomol'tzi* can exterminate, and whose dynamic will-to-community may yet bring about the reign of universal justice through the union of the Churches. In the present work she is concerned almost wholly with the place which Russia will take in the universal church; her social and economic findings she has already set down in *Soviet Man Now*. One passage is particularly revealing to the Westerner, and is one more indication of the understanding of Pius XI, namely the growth of devotion among Russians to such a typically "Roman" saint as the Little Flower of Lisieux.

Seven or eight years ago Catholic writers in France were at great pains to distinguish between the collaboration which could be given "dans l'ordre de la verité" and that which could be given "dans l'ordre de la charité". Miss Iswolsky has clearly grasped this and throughout the book demonstrates how she has practised it to the advantage both of herself and of all those with whom she has come into contact. Let this stand as the judgement on her book.

JOHN FITZSIMONS.

For Hilaire Belloc. Essays edited by Douglas Woodruff. (Sheed & Ward. 9s.)

THESE essays have been written and published in honour of Mr. Belloc's seventy-second birthday. I hope he will be kind enough to

accept this review of it, even if less learned than it or he, as a similar tribute.

The Contents of such a book ought to be given for convenience of information. They are (after a foreword by Douglas Woodruff): Douglas Jerrold, *On the Influence of Hilaire Belloc*; Mgr. Knox, *The Man Who Tried to Convert the Pope*; Douglas Woodruff, *On Newman Chesterton and Exorbitance*; Arnold Lunn, *Alpine Mysticism and Cold Philosophy*; C. A. Armstrong, *The Piety of Cicely, Duchess of York*; Christopher Hollis, *The Meaning of Anthony Trollope*; Fr. Gervase Mathew, *Byzantium to Oxford*; Bishop of Aeliae, *The Library at Naworth*; J. B. Morton, *André Chenier*; W. A. Pantin, *The Pre-Conquest Saints of Canterbury*; David Jones, *The Myth of Arthur*.

It will be seen that most of them are concerned not only with Catholicism and culture, but also with England, and this is proper, for Mr. Belloc has taught us much about England. He has made us understand the reasons for much of the fighting—not only the controversies but the strategy; as in that admirable little book *Warfare in England*. Here, however, it is rather the culture that is in question; controversies are touched on lightly and courteously, as in Mgr. Knox's account of the Canon of Durham who, in the days of Victoria, attempted to soften the Papal inflexibility, or Mr. Christopher Hollis's discussion of the often miscalled 'Trollope'. The Bishop of Aeliae's drawing of Lord William Howard and his library under James I and Fr. Gervase Mathew's vignette of Europe in the twelfth century do more than exhibit scholarship: they illuminate states of being in our past.

"Clear token does man give of what sort is his root." The phrase is quoted by Mr. David Jones from Tudor Aled, a Welsh fifteenth-century poet. But then, man must take some care about his root. Most of these essays, one way or another, encourage us to remember our high roots and to clarify our tokens of them. Mr. Jones deals with that lordly figure of Arthur, the most mythical of all dealt with in this book, and the least historical. But even history must be in some sense a myth; we must not be ingenious over it, but then nor must we with other myths. We must wait and let the great things work. The myth of Arthur is still in the process of working; it produces, as it were, its own alterations, a little here and a little there. A serious critical study of its development would be invaluable; there have been efforts towards it, but they were mostly foolish. Mr. Jones is chiefly concerned with the change of Arthur from the Celtic hero to the Mediaeval King, and with Malory. He says justly: "All things connected with this tangle should be of interest to people of this island, because it is an affair of our own soil and blood and tradition, our own 'inscape' as Hopkins might say—it is the 'matière de Bretagne'." He sees dimly a figure of a bear

totem which became a female deity Artio, and a hero-god Artorius, and a Romano-British general. There in the recent *Oxford History* Messrs. Collingwood and Myres come in, for they suggest that Arthur was the captain of a band of horsemen who assisted the British kings against the unmounted Saxons. The old fabulous setting, "amphibious, a place of islands, and of necks of land", gives place to the mediaeval landscape. The King appears, and the lords of many different tales, and the whole business of chivalry; and then an unknown Cistercian one day imagined Galahad. This supreme invention turned the whole myth from tragedy and treachery to mystery and achievement. Infinite meanings lie in the discovery that the High Prince was the son of Lancelot by a profound substitution, and Malory gave us in English the last great recollection of this at the very moment of achievement of the Grail—when Galahad says to Bors, "Fair Lord, salute me to my lord Sir Lancelot my father, and bid him remember of this unstable world." The second phrase we know; the first we have forgotten. But its necessary courtesy is the courtesy of the Grail itself; so the heavenly kingdom salutes its earthly origins, and later the other touches come, as when Swinburne turned the Merlin-Nimue affair into something much greater and holier, when

in some depth of deep sweet land or sea
The heavenly hands of holier Nimue
That was the nurse of Lancelot . . .
Should shut him in with sleep as kind as death.

I have wondered if some similar alteration might not happen between Arthur and Lancelot and Guinevere themselves; whether some high knot of balanced and ordered love was not meant to tie the Three, so that all our sad tale is not rather due to the failure of a greatness than to the intrusion of a littleness. Could it have been, the High Prince might have been born to the King in Camelot, and the Grail have emerged from its seclusion into the land and empire which waited for it. Certainly in every sense much remains to be done.

It will not, I hope, be thought improper to have delayed on one essay of all. It is but a note on the greatest of English heroes. And if Mr. Belloc should be as kind as I have suggested to the reviewers of this book, it might be offered as a footnote to Mr. Jones's essay—"an expression" in Mr. Woodruff's words "of admiration and gratitude to a great writer".

CHARLES WILLIAMS.

The Mind of the Maker. By Dorothy L. Sayers. 4th ed. (Methuen. 6s.)

REVIEWERS of a work by Miss Dorothy Sayers might well quail. A recent batch of them come in for a pitiless well-driven nailing in the preface to this book. They occasion remarks on the "proved inability

of supposedly educated persons to read", "irresponsible writers", "mental slatterns", and the like. I tremble for the fate of her reviewer in *The Times Literary Supplement* who writes of the present book, "Her approach to the problem of the Creation is novel, arresting and fundamental"; yet Miss Sayers, in the very book under review, has written, "The concept of 'problem and solution' is as meaningless, applied to the act of creation, as it is when applied to the act of procreation"—and spends much of a chapter proving her point. And, Pelion upon Ossa, the reviewer's words have appeared on the very end-flap of the book itself! "'Tis a wonder, by your leave, she will be tamed so."

Her thesis runs thus. Every act of creation in the world is threefold, an earthly trinity to match the heavenly.

First, there is the Creative Idea, passionless, timeless, beholding the whole work complete at once, the end in the beginning: and this is the image of the Father.

Second, there is the Creative Energy (or Activity) begotten of that idea, working in time from the beginning to the end, with sweat and passion, being incarnate in the bonds of matter: and this is the image of the Word.

Third, there is the Creative Power, the meaning of the work and its response in the lively soul: and this is the image of the indwelling Spirit.

And these three are one, each equally in itself the whole work, whereof none can exist without other, and this is the image of the Trinity.

She illustrates this triune element in human creation by analysing her own productive work as an author in a vivid and interesting way. Every creative writer starts with an Idea of the whole book which is to be manifested in Energy with all the accidents proper to a manifestation in time, such as the actual writing and the material elements used. From the Idea and Energy together, that is, from a properly conceived and executed work, comes Power, which enables the reader to communicate with the mind of the book-creator.

In the Book-as-Thought the reader sees the Idea or "fatherness", in the Book-as-Written he sees the Energy or "sonness", in the Book-as-Read he sees and responds to the Power or "ghostness". These three are the one book, and any disruption or lopsidedness within the writer's trinity is at once apparent in a falsified or wrongly stressed Idea or Energy or Power.

Many an unreadable monument of scholarship is exposed as the creature of three fathers; many a column of sob-stuff betrays the uncontrolled sensibility of three ghosts; many a whirlwind bustle of incoherent episode indicates the presence of three sons at the head of affairs.

The Trinitarian and Christological heresies have their counterpart in various forms of bad writing; the Incarnation can be regarded as God's autobiography; the demands of consistent characterization correspond to independence and free-will; miracle to a relieving

deus ex machina; God's love for man to the author's jealousy for the characters he has created.

Such is the author's well-drawn outline of the correspondence between the central Christian doctrines and the conclusions of an independent *a posteriori* induction based on artistic experience. The resulting impression is that an analysis of human creation can be a striking confirmation of dogma and, conversely, that dogma can illuminate the process of artistic production itself. The close analogy between human and Divine artistry is an energizing incentive to co-operate with God's continual productiveness not only in the literary and aesthetic act of creation but in the whole art of life itself—a point well developed in "Problem Picture", the best chapter in the book.

This artistic approach to the doctrine of the Blessed Trinity is skilfully and entertainingly indicated by Miss Sayers. But it has its dangers in proportion to its value, and it cannot be said that the author has avoided them. It is hardly carping to remark that the revelational nature of the doctrine receives scant attention. Only once, I think, does she refer to the basic element of revelation which underpins this Christian mystery. This is the statement that it "derives from a purely religious experience of God, as revealed in Christ and interpreted by abstract philosophic reasoning" (where "in Christ" may not mean "by Christ" and "revealed" may refer to either "God" or "religious experience"). Knowledge of the dogma of the Trinity is not derived from religious experience; on the contrary, the guarantee of true religious experience is that it should gain its purchase from the twin rocks of doctrine and discipline.

St. Augustine, whose authority the writer invokes; would certainly start slightly at her attributing, even in their loosest sense, the Idea to the Father, the Energy to the Son, the Power to the Holy Ghost. The more traditional view, and hence that which the author would regard as derived from "experience", attributes the Power to the Father, the Idea to the Son, the Energy to the Holy Ghost. Here, then, a doubt is generated in the reader's mind. Does the failure of artistic experience to key correctly into the traditional Christian interpretation render her whole thesis still-born? The reader might suggest an adjustment, but before doing so he would do well to read the reply given to the lady who suggested that Lord Peter, one of Miss Sayers' "creatures", should be brought to a timely and pious end:

"No. . . . He is what he is, I will work no irrelevant miracles upon him, either for propaganda, or to curry favour, or to establish the consistency of my own principles. . . . Hands off."

Admirable, but, concerning a basic point, very awkward.

I cannot resist drawing attention to a third blemish, less important

though it be. I have no intention of championing the devil's obfuscate interests, but since we must give him his due it is well to mark its extent. Satan is not totally evil, contrary to the author's implication. Morally, he is utterly and intensely bad; but it is precisely when we exclude moral evil, as Miss Sayers does, that he can be regarded as good. Insofar as he is a creature of God, he is good, like all other creatures. A sinner is morally evil by the abuse of his free-will, but physically good by his creatureness.

Miss Sayers writes also on the same problem of evil and not-being:

Professor Eddington has put the essentials of the problem neatly before us in the riddling query: "Is the bung-hole part of the barrel?" It depends, as he says, on what you mean by "part"; it may also depend, to some extent, on what you mean by the "barrel".

X May I enter the suggestion that it depends chiefly on what you mean by "is". If I say, "A bung-hole is part of a barrel", certainly the word "part" is loosely used, for the absence of something cannot be "part" of anything. But even when I say, "A bung-hole is in a barrel", the nuclear distinction is still wanting. Taking "is" in the sense of affirmative logical predication, the statement is true (if the barrel *is* bung-holed); but taking "is" in the sense of predication plus existence, viz., "A bung-hole is (i.e. is existing) in a barrel", the statement is false. Similarly the statement "Evil is in things" can be distinguished to express either predication alone (which would be true) or predication plus existence (which would be false). In his recent book, *God and Philosophy*, Etienne Gilson deals with a similar case of Sir Arthur Eddington's confusion of the two meanings of "is". Such is the legacy of Kant.

Miss Sayers takes modern theologians mildly to task for confining themselves to stressing the mystery and uniqueness of the Blessed Trinity at the expense of familiarity and intimacy. This is scarcely true of Catholic theologians, who, though they may not have put overmuch stress on the ancient doctrine of the "vestigia Trinitatis" in nature, have strongly and clearly taught the fact and implications of the intimate indwelling of the Blessed Trinity, not only in the whole Church as Christ's Mystical Body, but also in the soul of every man, woman and child (Catholic or not) in a state of grace.

All told, a hard-thought and "well-created" book, clearly illustrating how Art in its truest and broadest sense may attempt to approach dogma from its own peculiar angle and by its own enlivening method.

THOMAS M. CONLAN, S.J.

A Preface to Paradise Lost. By C. S. Lewis. (Oxford University Press. 7s. 6d.)

THE mantle of George Saintsbury, shorn of those parenthetical arabesques which are at once its glory and its burden, floats lightly from

the shoulders of Mr. C. S. Lewis, who, more than any other critic now writing, adds wit, learning, and enthusiasm to that ability to discuss rather than to destroy which is the prerequisite of the critic's true function. Moreover, Mr. Lewis shares with Mr. Charles Williams a grace, unachieved by many of the eminent writers who have busied themselves in other times with the strange business of "destroying Milton in a paragraph". "I should warn the reader," he says firmly before offering us his dialectic on the Augustinian theology of *Paradise Lost*—"I should *warn* the reader that I myself am a Christian and that some (by no means all) of the things which the atheist reader must try to feel as if he believed, I actually, in cold prose, do believe." This clearance of the tilt-yard before the combat occurs half-way through the monograph; but its values are implicit in everything that precedes and increasingly upheld in all that follows it.

The strength of this position for a writer setting about the business of encouraging readers to face the whole of *Paradise Lost* as a reasoned narrative, instead of dipping about in it for "little ebullient patches of delight, such as he is accustomed to find in lyrics", is overwhelming. It enables Mr. Lewis to lay the dust raised by the accusation that Milton destroyed English verse (as well as prose) with Latin construction and vocabulary and to insist that "the first thing the reader needs to know about *Paradise Lost* is what Milton meant it to be". This approach clears the field of the annotators who have attempted to confine the greatest epic of our language within the flimsy covers of a political pamphlet and it makes the groundwork of an exhaustive attack on the querulous modernists who complain, as the lady who had taken a friend to a performance of *Hamlet* did, "It isn't what I call a *deep* play."

The temptation to quote from every page of this rich and crowded essay has to be resisted in writing a notice of this kind; the most that can be done here is to give a brief summary of the stages by which Mr. Lewis leads us back to the days when the monstrous regimen of schoolmasters set *Of man's first Disobedience*, to be learnt by heart as an imposition, and disperses the gloom of that crime against literature by kindling an ardent and illuminating flame.

The Preface begins with a summary of the considerations which led Milton to reject the Arthurian Legend for the Fall of Man as the theme for his epic. A history of Epic Poetry leads us from the Homeric Poems and *Beowulf* to Virgil's treatment of "one single national legend is such a way—that we feel as if national or almost cosmic issues are involved".

Later sections are concerned with literary criticism: in them Mr. Lewis discusses the replacement of the material pomps surrounding the oral recital of the first Epic poetry by the verbal magnificence of work written to be read in solitude. The appeal is now to the inner eye

and, through the trained and discriminating ear, to the brooding intellect, and, also, to the unspoiled receptivity of the schoolboy, entranced by an accidental reading of Milton, "not in the least knowing how the thing has worked, but only that new strength and width and brightness and zest have transformed his world".

A summary of the theological and philosophic concepts current at the time Milton was cogitating on his theme leads up to an Essay on Satan compared, so far as the author's treatment goes, with Miss Austen's Miss Bates—a character dropped into these unusual surroundings with surprising effect. Milton's treatment of Adam and Eve is then discussed, with many references to the work of other critics, some of them very caustic, on the poet's narrative and psychology of the Fall. The book ends with a trenchant enumeration of such flaws as the poem, as a whole, admittedly contains, followed by a defence of what Mr. Lewis calls Milton's *civility* of intellectual and poetic manners. This civility is contrasted with the modern conception of *civilization* "debauched by vulgar power and vulgar luxury" and emasculated by the day-before-yesterday's rudderless excursions along the stream of the unselective subconscious mind.

The book is so exciting to read that page after page is turned before half its wealth of argument, allusion, and learned reference has been assimilated. To quote one instance only of the single phrase which can illuminate a whole epoch of History: writing in defence of Milton's "magnificence" so roughly handled by yesterday's criticism, Mr. Lewis says: "The older Puritans took away the maypoles and the mince-pies: but they did not bring in the Millennium, they only brought in the Restoration."

Armed with this *Preface*, any lecturer on Literature might draw up the syllabus of a fresh and stimulating course for the study of any masterpiece in any language, or launch on a detailed and erudite development of some one of the ideas it offers. But its most remarkable effect will be on those of us who, led back to the monumental text itself, are, in the words of another critic, enabled by it "to penetrate beneath the beauties of the merely terrestrial portion of the story and recognize the coherence and the splendour of that vast symbolic phantasmagory by which it sets forth the connexion of the whole visible universe of human cognizance and history with the grander, pre-existing and still environing world of the eternal and inconceivable".

NAOMI ROYDE SMITH.

Bowen's Court. By Elizabeth Bowen. (Longmans. 16s. net.)

MISS BOWEN has given us in this description of her home and family one of the most memorable studies of the Ascendancy. The first chapter, in which the author describes the countryside between Mitchelstown and Mallow, has a singular accuracy of mood and a

still perfection. The Anglo-Irish will always awaken in the English mind and temperament a clear response, and Miss Bowen's approach to the Ascendancy scene is so meticulous, so unfussed, so sympathetic. She is at her best when dealing with the house or with the Bowens. The section on her mother's family, the Colleys, in their nineteenth-century aspects is at once photographic and deeply unappealing.

The central portion of the book deals with the members of the Bowen family beginning with Colonel Bowen, who came to Ireland in the seventeenth century, and ending with the late Mr. Henry Bowen who died at Bowen's Court in 1930. Notes and *memoranda* from family papers are introduced easily into the text and there is a particular vividness in the account of eighteenth-century life in Mallow. The historical picture thus built up is traditional and belongs to the background of the house itself. On local issues it is clear and definite, while its national implications have that blurred quality which must belong to all class-history. In every way the presentation is most successful.

At the same time it is in the feeling for the land and for the countryside as seen from the great house that this book makes its lasting contribution. One such passage is that dealing with the road system of County Cork *à propos* of the roads made by Henry Bowen to the east of the Farahy river.

"The few tarred main roads," we read on page 213, "are for the heavy through traffic, the tourists, the big-house cars. But the twisting bye-roads—narrow, glaring white in fine weather, in wet weather strung with puddles, sleek with mud—are the veins of local life. Haystacks in motion, ass carts clanking with milk cans, long happy funerals, young cyclists bound for the dancing, cyclists, walkers and traps on their way to Mass, cattle going to fairs, school children, errant and happy donkeys, pedlars of holy medals and young couples straying out of the priest's eye all use these. They are the people's roads."

Throughout the book is marked by this affection of the exile. It is generous-minded and even and lit with a constant feeling for Ireland. It is the Ascendancy looking back on its old associations. All the details of the life at Bowen's Court are reproduced with care and a most happy light fidelity. The portraits in the book are very pleasing. Their genuine character is unmistakable.

So little relatively has been written on the subject of the Ascendancy that *Bowen's Court* is especially valuable. It will take its place beside those admirable studies which we owe to Professor Constantia Maxwell. The life of the Bowen family appears as typical of a class which ran singularly true to form. The detail is set out with a peaceful candour and the successive generations are described for us as

they move forward, not deviating from the received ideas of their own *milieu*, full of high-strung, unbalanced common sense and fortified by their kind illusions.

DAVID MATHEW.

Broad and Alien is the World. By Ciro Alegria. (Nicholson & Watson. 9s. 6d.)

THE publishers describe this book, which won the Latin-American Prize Novel Contest, as "the greatest novel that has appeared for several years". It does not seem to the present reviewer to be a great novel, but it is in its way an arresting and impressive piece of work. The author has a thorough knowledge of his material and of the issues involved, and he does for the Indians in Peru what Ringuet did for the French-Canadian farmers in *Thirty Acres*. It is a slow, patient chronicle of the decline and fall of a village community led by its heroic mayor, Rosendo Maqui. The Indians are shamelessly exploited by the powerful and brutal ranchers, tricked out of their lands by a legal swindle and some of them are enticed away to work in impossible conditions on rubber or cocoa plantations. When at last they revolt against this tyranny, the militia is called out with its machine-guns and the novel ends with the extinction of the community.

The author works on a large canvas and gives a picture not only of the customs and misfortunes of the Indians, but of the corruption in high places which brings about their downfall. It is, perhaps, a fault in the novel that the attempt to follow the fortunes of individuals who leave the community and to bring every aspect of a corrupt administration within the indictment detracts from the cumulative effect of the book, making it seem at times like special pleading. It must not be thought, however, that this is a political pamphlet, as the publishers' announcement, with its reference to "the world suffering under the same burden of oppression", might suggest. It is one of its merits that the effects are achieved by means which belong legitimately to the novel, that individuals are invested with a social significance which transcends their individuality. Two examples will illustrate the method:

The blessed image of St. Isidore, the patron saint of farmers, stood there in a niche. He wore a Spanish cape and a Panama hat with a band of the national colours around the crown. Under the cape he wore full pants tucked into shiny boots. His left hand rested quietly on his breast, and in his right he carried a spade. With his moustache and chin whiskers, his rosy cheeks and bright eyes, St. Isidore had the satisfied air of a prosperous farmer after a good season.

The homely image of St. Isidore is a symbol of the virtues of the Indians, their fundamental decency and simplicity, their attachment to the soil. But it also reveals the limitations of the primitive mind, its superstition and its inability to conceive anything beyond

the natural order. When misfortune comes upon them, the exhortations of the village priest leave them bewildered and helpless. "They had always thought of God and St. Isidore as the protectors and defenders of the treasures of the earth, the harvests, the flocks, the health and happiness of mankind. The fact is that they had not thought much about Heaven. And now it seemed that they should really have been thinking only about Heaven."

They are all Christians, but this does not prevent them from invoking "the dark gods"—"Father Rummi", the local deity—as well as St. Isidore; it does not prevent witches and magicians from flourishing, or the people from mating (and changing mates) with the seasons. When they drove a bad priest from the village for seducing one of the girls, it was "not because of his principles". "It's all right for a priest to want a woman", they thought; "he's a man after all; but he must not take advantage of his position to ravish her."

In the second example, which describes the world which devoured the Indians, the criticism is more direct:

There are sheafs, piles, mountains of this stamped paper all over Peru, in the form of affidavits, proceedings and briefs. In the offices of lawyers and would-be lawyers, in the notaries' offices, in the courts, in the government offices, at the military courts, in the tax bureaux, in the hut of the pauper and the palace of the millionaire. "Draw up your petition on stamped paper", the order always went. From Lima to the most remote corner of the country spread the smothering snow of stamped paper. There might be no bread, but there was always stamped paper. It was the national ill. In law codes, and on stamped paper, part of the tragedy of Peru has been written. The rest is written in guns and blood. The law, the sacred domain of the law! Order, the sacred domain of order! And the country, like a soldier lost in no man's land, was caught between two fires and always vanquished.

One feels here a whole people being submerged, smothered under a mountain of paper, of life being strangled by a corrupt bureaucracy and the process ends in blood.

It is a bold and violent story which deserves to be read.

MARTIN TURNELL.

Introducing James Joyce. A selection of Joyce's prose by T. S. Eliot. (Faber. 3s. 6d.)

MR. ELIOT's brief note of introduction assumes that Joyce is a writer of importance; my dissent is temerarious perhaps, but I record it nevertheless. I may say at once that the selection is skilfully made, in particular that it gives an impression of liveliness and interest which flatters rather than represents an author whose books in their entirety are, as it seems to me, characteristically tedious. At the same time, the conspectus of Joyce's development provides material enough for judgement, favourable or the reverse.

I see in James Joyce an author whose unremarkable beginnings were those of a hundred others scattered through Europe—a naturalistic school possessing a well-defined photographic technique; most interesting when most regional, effective in a modest order of things, sometimes unfaithful to itself when its ostensible objectivity falls apart to reveal an undigested romanticism. But good plain photography is unsatisfying to an ambitious mind, and if painting is an obsolete or an unattainable art, experiments must be made to find a substitute. Joyce passes from one to another kind of trick photography, ending with a phantasmagoria which bewilders his first clients and entertains only those who have time and inclination for a merely hedonistic art.

It is this last period of Joyce's work that particularly concerns the critic. *Finnegan's Wake* is the test; is it or is it not a legitimate development of English prose writing? For me there can be no doubt that it is a deviation, an extreme example of certain abnormal trends in contemporary art. There is the deliberate widening of the gulf between art and the common man; the subordination of intellect to the inferior faculties, of meaning to sound and rhythm; the invention of a private means of communication penetrable only to a few devotees who (as I believe Joyce himself said) are to spend a lifetime on nothing else. And such work is not only wrong in direction. For all its apparent virtuosity, it burkes the real difficulties of prose writing. The great masters of prose have accepted a medium from without and used it to communicate their ideas without loss of exactness at any point; the union of sound and sense, the appropriate flow of rhythm, have been for them not ends in themselves but means to remove obstacles from the reader, to counter any refraction of the luminous thought. To take care of the sounds and let the sense take care of itself is to confess failure. And should it be said that Joyce was in fact greatly concerned with the sense—*his* sense—it remains that the sense of his coinages was subjective and that any reader has the right to interpret them with another subjectivity. If in Elizabethan verse you interpret "fry" in terms of a frying-pan, you must expect correction by the external authority of all Elizabethan idiom. But what of *Avelaval* on the last page of this book? To me it suggests *Ave* and *Vale*, to another reader *Ave Lavall*, and I do not see how Joyce or his lexicographers could claim authority to correct either.

Naturally I do not assert that Joyce's writings are valueless. He provides documentary information of unfamiliar minds and places; he knew something of philosophy; he was aware that man is fallen. But I assert strongly that he gave much false guidance, in particular to English letters, more generally to modern art.

WALTER SHEWRING

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